

1987 Senate Bill 100

Date of enactment: July 31, 1987
Date of publication: July 31, 1987

1987 Wisconsin Act 27
(Vetoed in Part)*

AN ACT *relating to* state finances and appropriations, constituting the executive budget bill of the 1987 legislature, and making appropriations.

* 1987 Senate Bill 100 was approved by the Governor "in part" on July 31, 1987, and the parts approved became 1987 Wisconsin Act 27, published on July 31, 1987.

In his veto message, Governor Tommy G. Thompson enumerated 290 issues ("vetoed item"), numbered from "A-1" to "E-95" as shown in Legislative Reference Bureau Brief 87-6, *Executive Partial Veto of 1987 Senate Bill 100*. Some of the vetoes of parts objected to by the Governor were reviewed by the

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

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in Part

~~SECTION 1b. 5.02(21) of the statutes is amended to read:~~

~~5.02(21) "Spring election" means the election held on the first Tuesday in April to elect judicial, educational and municipal officers, nonpartisan county officers, sewerage commissioners, commissioners of the Yahara watershed management district elected under s. 33.44(2)(c) and to express preferences for the person to be the presidential candidate for each party.~~

~~SECTION 1d. 5.58(2n) of the statutes is created to read:~~

~~5.58(2n) YAHARA WATERSHED MANAGEMENT DISTRICT. There shall be a separate ballot for commissioner of the Yahara watershed management district elected under s. 33.44(2)(c). Arrangement of the names on the ballot shall be determined by the board. The ballot shall be titled "Official Primary Ballot for Yahara Watershed Management District Commissioner."~~

~~SECTION 1e. 5.60(1)(b) of the statutes is amended to read:~~

~~5.60(1)(b) The board shall certify the candidates' names and designate the official ballot arrangement for candidates for justice, court of appeals judge, circuit judge, state superintendent, municipal judge elected under s. 755.01(4), commissioner of the Yahara watershed management district elected under s. 33.44(2)(c), and, if commissioners are elected under s. 66.23(11)(am), the metropolitan sewerage commission. The arrangement of names of all candidates on the ballot whose nomination papers are filed with the board shall be determined by the board by the drawing of lots not later than the 7th day following the deadline for filing nomination papers. Whenever a primary is held for an office, a 2nd drawing of all candidates for that office shall be held by or under the supervision of the board not later than the 3rd day following the completion of the primary canvass to determine the arrangement of candidates on the election ballot.~~

~~SECTION 1g. 5.60(4n) of the statutes is created to read:~~

~~5.60(4n) YAHARA WATERSHED MANAGEMENT DISTRICT. A separate ballot shall list the names of all candidates for commissioner of the Yahara watershed management district elected under s. 33.44(2)(c).~~

~~SECTION 1ge. 6.275(1)(e) of the statutes is created to read:~~

~~6.275(1)(e) Where registration applies, the name, address and ward, if any, of each registered elector and information concerning whether the elector voted at the most recent general election.~~

~~SECTION 1gm. 6.275(3) of the statutes is created to read:~~

~~6.275(3) The board shall, by rule, prescribe a standard format for submission of the information required by sub. (1).~~

~~SECTION 1gs. 6.275(4) of the statutes is created to read:~~

~~6.275(4) The board shall assemble the information provided to it under sub. (1)(e) in machine-readable form.~~

~~SECTION 1h. 7.10(1)(a) of the statutes is amended to read:~~

~~7.10(1)(a) Each county clerk shall provide ballots for every election in the county for all national, state and county offices, including metropolitan sewerage commission elections under s. 66.23(11)(am), for municipal judges elected under s. 755.01(4), for commissioner of the Yahara watershed management district elected under s. 33.44(2)(c), and for state and county referenda. The official and sample ballots shall be prepared in substantially the same form as those prescribed by the board under s. 7.08(1)(a).~~

~~SECTION 1k. 7.60(4)(a) of the statutes is amended to read:~~

~~7.60(4)(a) The board of canvassers shall make separate duplicate statements showing the numbers of votes cast for the offices of president and vice president, state officials, U.S. senators and representatives in congress, state legislators, justice, court of appeals judge, circuit judges, municipal judges, if they are elected under s. 755.01(4), and metropolitan sewerage commissioners, if the commissioners are elected under s. 66.23(11)(am), and Yahara watershed management district commissioners elected under s. 33.44(2)(c). The board of canvassers shall also prepare a statement showing the results of any county, vocational district or statewide referendum. Each statement shall state in numbers written out the total number of votes cast in the county for each office, the names of all persons for whom the votes were cast, as returned; the number of votes cast for each person; and the number of votes cast for and against any referendum question. One copy of the statement shall be used to report to~~

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Senate on September 29 and 30. For all veto items reviewed, the objections of the Governor were sustained.

Other vetoed items of 1987 Senate Bill 100 may be reviewed by the Legislature in calendar year 1988. If the Governor's objections to any vetoed item are overruled by the required two-thirds vote of each house to become law "notwithstanding the objections of the Governor", the affected parts of 1987 Senate Bill 100 will be published at the front of Volume-2, *Laws of Wisconsin 1987* (covering the action of the 1987-88 Legislature in calendar year 1988) as part of 1987 Wisconsin Act 27 and will show the date of enactment and the date of publication for the parts so affected.

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the elections board or vocational district board and the other statement shall be filed in the office of the county clerk or board of election commissioners.

SECTION 1m. 7.60 (5) of the statutes is amended to read:

7.60 (5) REPORTING. Immediately following the canvass the county clerk shall deliver or send to the elections board, by 1st class mail, a certified copy of each statement of the county board of canvassers for president and vice president, state officials, senators and representatives in congress, state legislators, justice, court of appeals judge, circuit judge, municipal judge, if elected under s. 755.01 (4), and metropolitan sewerage commissioners, if the commissioners are elected under s. 66.23 (11) (am), and Yahara watershed management district commissioner elected under s. 33.44 (2) (c). The statement shall record the returns for each office or referendum by ward, unless combined returns are authorized under s. 5.15 (6) (b) in which case the statement shall record the returns for each group of combined wards. Following primaries the county clerk shall enclose on blanks furnished by the elections board the names, party or principle, designation, if any, and number of votes received by each candidate recorded in the same manner. The county clerk shall deliver or transmit the certified statement to the elections board no later than 7 days after each primary and no later than 10 days after any other election. The board of canvassers shall deliver or transmit a certified copy of each statement for any vocational district referendum to the secretary of the district board of vocational, technical and adult education. If the board of canvassers becomes aware of a material mistake in the canvass of an election for state or national office or a statewide or vocational district referendum prior to the close of business on the day the elections board receives returns from the last county board of canvassers with respect to that canvass, the board of canvassers may petition the elections board to reopen and correct the canvass. The elections board shall direct the canvass to be reopened and corrected if it determines that the public interest so requires. If the elections board directs the canvass to be reopened, the board of canvassers shall reconvene and transmit a certified corrected copy of the canvass statement to the elections board or secretary of the district board of vocational, technical and adult education.

SECTION 1p. 7.70 (3) (d) of the statutes is amended to read:

7.70 (3) (d) When the certified statements and returns are received, the board of state canvassers shall proceed to examine and make a statement of the total number of votes cast at any election for the offices involved in the election for president and vice president, a statement for each of the offices of governor, lieutenant governor, if a primary, and a joint statement for the offices of governor and lieutenant governor, if a general election, a statement for each of

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the offices of secretary of state, state treasurer, attorney general, and state superintendent; for U.S. senator, representative in congress for each congressional district, the state legislature, justice, court of appeals judge, circuit judge, municipal judge, if he or she is elected under s. 755.01 (4); metropolitan sewerage commission, if the commissioners are elected under s. 66.23 (11) (am); Yahara watershed management district commissioner elected under s. 33.44 (2) (c); and for any referendum questions submitted by the legislature.

SECTION 1r. 8.10 (3) (hm) of the statutes is created to read:

8.10 (3) (hm) For commissioners of the Yahara watershed management district elected under s. 33.44 (2) (c), not less than 100 nor more than 200 electors.

SECTION 1s. 8.10 (6) (a) of the statutes is amended to read:

8.10 (6) (a) For state offices, municipal judges, if they are elected under s. 755.01 (4) or seats on a metropolitan sewerage commission, if the commissioners are elected under s. 66.23 (11) (am), or commissioner of the Yahara watershed management district elected under s. 33.44 (2) (c), in the office of the board.

SECTION 1u. 9.10 (1) (a) of the statutes is amended to read:

9.10 (1) (a) The qualified electors of the state, of any county, city, village, or town, or of any congressional, legislative, judicial or school district or of the Yahara watershed management district may petition for the recall of any incumbent elective official after the first year of the term for which the official is elected by filing a petition with the same official or agency with whom nomination papers or declarations of candidacy for the office are filed demanding the recall of the officeholder.

SECTION 1w. 11.02 (3) of the statutes is amended to read:

11.02 (3) The "filing officer" for each candidate for local office and for each committee which or individual who is acting in support of or in opposition to any candidate for local office, but not any candidate for state office, is the clerk of the most populous jurisdiction for or portion thereof in which any candidate who is supported or opposed seeks office.

SECTION 1y. 11.26 (8) (a) of the statutes is amended to read:

11.26 (8) (a) No political party as defined in s. 5.02 (13) may receive more than a total of \$75,000 \$150,000 in value of its contributions in any calendar year biennium from all other committees, excluding contributions from legislative campaign committees and transfers between party committees of the party. In this paragraph, a biennium commences with January 1 of each odd-numbered year and ends with December 31 of each even-numbered year.

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SECTION 2g. 11.26 (13m) of the statutes is renumbered 11.26 (13m) (intro.) and amended to read:

11.26 (13m) (intro.) Contributions utilized for the purpose of payment of legal fees and other expenses as a result of a recount at an election following purposes are not subject to limitation by this section.:

SECTION 2r. 11.26 (13m) (a) and (b) of the statutes are created to read:

11.26 (13m) (a) For the purpose of payment of legal fees and other expenses incurred as a result of a recount at an election.

(b) For the purpose of payment of legal fees and other expenses incurred in connection with the circulation, offer to file or filing, or with the response to the circulation, offer to file or filing, of a petition to recall an officer prior to the time a recall primary or election is ordered, or after that time if incurred in contesting or defending the order.

Vetoed in Part

~~SECTION 3c. 11.31 (1) (h) of the statutes is amended to read:~~

~~11.31 (1) (h) Candidates Except as provided in par. (i), candidates for any local office, who are elected from a jurisdiction or district with less than 500,000 inhabitants according to the latest federal census or census information on which the district is based, as certified by the appropriate filing officer, an amount equal to the greater of 1) \$500; or 2) one-fourth of the annual salary for the office sought; or 3) 15 cents per inhabitant of the jurisdiction or district, but in no event more than \$20,000.~~

~~SECTION 3f. 11.31 (1) (i) of the statutes is created to read:~~

~~11.31 (1) (i) Candidates for commissioner of the Yahara watershed management district elected under s. 33.44 (2) (c), \$8,000.~~

Vetoed in Part

~~SECTION 3m. 13.04 (1) (title) of the statutes is repealed.~~

~~SECTION 3n. 13.04 (1) (a) to (d) of the statutes are renumbered 13.04 (1) to (4).~~

~~SECTION 3p. 13.04 (1) (e) of the statutes is renumbered 13.04 (5) and amended to read:~~

~~13.04 (5) Nothing in this subsection shall prevent. This section does not preclude the concurrent appointment of an incumbent legislator to an unsalaried part-time state position created during the legislator's current legislative term when the emoluments for such position are limited to reimbursement for actual and necessary expenses incurred in the performance of the duties of the position and when the duties of such position are not incompatible with the legislator's duties as a member of the legislature.~~

~~SECTION 3q. 13.04 (2) of the statutes is repealed.~~

~~* SECTION 4e. 13.09 (4) of the statutes, as affected by 1987 Wisconsin Act 4, is repealed.~~

Vetoed in Part

~~SECTION 7m. 13.172 (3) of the statutes is amended to read:~~

~~13.172 (3) Notwithstanding any other law except s. 36.09 (1) (m), any agency which is required, by statute, to submit a report to the speaker of the assembly or the president of the senate, to appropriate standing committees of the legislature, as determined by the speaker or president, to any specified standing committee except the joint committee on finance; to standing committees with specified subject matter jurisdiction; or to standing committees with specified subject matter jurisdiction, as determined by the speaker or president, shall submit the report to the chief clerk of each house of the legislature. The chief clerks shall publish notice of receipt of the report in the journals of the respective houses. The chief clerks of the assembly and the senate shall also notify the speaker and president, respectively, that the report has been received and shall distribute the report to standing committees in that house or other persons, as directed by the speaker or president.~~

Vetoed in Part

~~SECTION 7t. 13.45 (4) (intro.) of the statutes is amended to read:~~

~~13.45 (4) ORGANIZATION (intro.) Unless otherwise provided by law, and except as provided in sub. (4m), every legislative committee or committee on which there are legislative members appointed or selected by either house or the officers thereof or the joint committee on legislative organization shall:~~

Vetoed in Part

~~SECTION 7w. 13.48 (14) (c) of the statutes is amended to read:~~

~~13.48 (14) (c) Net proceeds from the sale or lease of the lands or buildings are appropriated to the state building trust under par. (b) shall be deposited in the bond security and redemption fund under s. 18.09 to pay the principal and interest on any bonds used to finance those lands or buildings, and any premium due upon refunding any of those bonds. If there are no such bonds outstanding, the net proceeds shall be used to pay the principal and interest on the bond which is from any revenue source from which there were appropriations to support those lands or buildings and which bears the highest true interest costs in comparison to any other bond from such revenue sources.~~

~~SECTION 7x. 13.48 (24) of the statutes is created to read:~~

~~13.48 (24) CASH FINANCING FOR MINIMUM MAINTENANCE PROJECTS. Beginning with the building program recommended by the building commission for the 1989-91 biennium, the building commission shall use cash financing for any minimum maintenance project in the authorized state building program, including, but not limited to, maintaining or repairing an exterior building envelope, a vital mechanical system, monitoring device or control, a vital electrical system or a utility distribution system and equipment.~~

Vetoed in Part

~~SECTION 8. 13.482 (2) (b) of the statutes is amended to read:~~

* NOTE: Section 4e is not mentioned in the Governor's written objections to 1987 Senate Bill 100.

13.482 (2) (b) The building commission shall annually determine and fix the rate of annual rental and the share which shall be paid by each state department and agency occupying the building project. Such share shall be computed on a basis of square feet of floor space occupied or used by each department and agency, giving proper weight to the quality of space occupied. The building commission in its discretion may continue to charge each such department and agency such rental after the project has been completed and acquired by the state. Such rentals shall be placed in the general fund and are appropriated to the building commission to be used for operation and maintenance and any unused balances shall be credited to the state building trust fund created by s. 13.48 (3) credited to the appropriation account under s. 20.505 (5) (ka). Plans for projects and all contracts and leases and re-leases made pursuant to this section shall, before becoming effective, have the written approval of the secretary of administration and the governor. Nothing herein contained shall authorize This paragraph does not authorize the building commission to incur any state debt for the construction, lease or re-lease of such buildings, improvements, facilities or equipment for the housing of state departments and agencies.

SECTION 9. 13.486 (2) of the statutes is amended to read:

13.486 (2) ~~In carrying out this project the building commission may refinance the present state office building so that the existing encumbrance in favor of the state property insurance fund, which is secured by a deed in trust from the state to the commissioner of insurance executed on December 31, 1931, shall be paid in full to the state property insurance fund. The entire property including the existing building and land and the proposed addition shall be operated by the building commission through the department of administration as provided in s. 13.482 (2). Section 13.482 shall apply to the existing land and building as well as to the proposed addition and land.~~

SECTION 10. 13.486 (3) of the statutes is repealed.

Vetoed in Part SECTION 10c. 13.489 ~~(title), (1) to (4) and (5)~~ (title) of the statutes are repealed.

SECTION 10cm. 13.489 (5) of the statutes is renumbered 84.013 (4) (b) and amended to read:

84.013 (4) (b) The department of transportation may not construct 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 sub. (3), except as provided in s. 84.013 sub. (6).~~

Vetoed in Part

~~SECTION 10f. 13.49 (1) (intro.) and (b) of the statutes are consolidated, renumbered 13.49 (1) and amended to read:~~

Vetoed in Part

~~13.49 (1) CREATION. There is created a joint survey committee on debt management composed of 9 members, as follows: (b) Three members to be selected by the governor, at least 2 of which shall be experienced in or familiar with public debt management, public finance or municipal bond underwriting. Public members the legislators and persons who are not legislators, if any, appointed by the joint committee on legislative organization. A member of the committee who is not a legislator, if any, shall be reimbursed for actual and necessary expenses incurred as a member a member of the committee from the appropriation made by s. 20.505 (1) (a).~~

~~SECTION 10g. 13.49 (1) (a) of the statutes is repealed.~~

~~SECTION 10i. 13.49 (2) of the statutes is amended to read:~~

~~13.49 (2) (title) PRESIDING OFFICERS. The officers of the committee shall be a senate chairperson and vice chairperson, an assembly chairperson and vice chairperson and a secretary. The senate chairperson and vice chairperson shall be selected as are chairpersons and vice chairpersons of senate standing committees. The assembly chairperson and vice chairperson shall be appointed by the speaker. The senate chairperson or the assembly chairperson shall preside, respectively, over the meetings of the committee depending on which house of the legislature referred the proposal then under consideration to the committee. The secretary shall be elected by the committee from among its nonlegislator members.~~

~~SECTION 10m. 13.50 (4) of the statutes is amended to read:~~

Vetoed in Part

~~13.50 (4) STAFF. The joint committee on legislative organization shall employ a research director of the committee under the unclassified service. The research director appointed under the classified service prior to the effective date of this subsection ... [revisor inserts date], shall continue to serve in the classified service for the duration of his tenure as research director. The committee research director shall, under the classified service, employ a research director and, train and supervise such other staff as is required for the performance of his duties, it being the determination of the legislature that such research director is more readily obtainable under s. 230.15 (2) may be assigned to him or her. The joint survey committee on retirement systems may employ or contract for actuarial and technical assistance outside the classified service.~~

~~SECTION 10mm. 13.52 (1) (intro.) of the statutes is renumbered 13.52 (1) and amended to read:~~

Vetoed in Part

~~13.52 (1) CREATION. There is created a joint survey committee on tax exemptions composed of 9 members, as follows: the legislators and persons who are~~

Vetoed in Part ~~not legislators. If any, appointed by the joint committee on legislative organization.~~

~~SECTION 10n. 13.52 (1) (a) to (d) of the statutes are repealed.~~

~~SECTION 10p. 13.52 (1m) of the statutes is repealed.~~

SECTION 12c. 13.625 (7) of the statutes is created to read:

13.625 (7) This section does not apply to the furnishing or receipt of reimbursement for actual and reasonable expenses authorized under s. 19.56 for the activities listed in that section.

SECTION 12d. 13.81 (4) of the statutes is repealed.

SECTION 12g. 13.90 (1) (e) of the statutes is renumbered 13.90 (1m) (b) and amended to read:

13.90 (1m) (b) ~~Select~~ The joint committee on legislative organization shall select the director head of each bureau legislative service agency. The appointment of each ~~director legislative service agency head~~ shall be made without regard to political affiliation in order to safeguard the nonpartisan character of each legislative service ~~bureau agency~~. In the case of the state auditor, the joint legislative audit committee shall make recommendations for the approval of the joint committee on legislative organization. The committee shall designate an employe of each ~~bureau legislative service agency~~ to exercise the powers and authority of each ~~bureau director legislative service agency head~~ in case of absence or disability.

SECTION 12L. 13.90 (1m) (a) of the statutes is created to read:

Vetoed in Part 13.90 (1m) (a) In this subsection, "legislative service agency" means ~~the joint survey committee on retirement systems, the legislative council, the legislative audit bureau, the legislative fiscal bureau, the legislative reference bureau and the revisor of statutes bureau.~~

SECTION 12p. 13.90 (1m) (c) of the statutes is created to read:

13.90 (1m) (c) The executive secretary of the legislative council appointed by the council under s. 13.81 (4), 1985 stats., prior to the effective date of this paragraph [revisor inserts date], shall continue to serve at the pleasure of the council for the duration of her tenure as executive secretary.

SECTION 12u. 13.92 (1) (b) 4 of the statutes is created to read:

13.92 (1) (b) 4. In cooperation with the revisor of statutes, prepare a biennial list of numerical cross-references in the statutes to other parts of the statutes.

SECTION 12y. 13.94 (1) (bm) of the statutes is created to read:

13.94 (1) (bm) In the 1987-88 and 1991-92 fiscal years, audit, under par. (b), the soil and water resource management program in the department of agriculture, trade and consumer protection and the nonpoint source water pollution abatement program under the

department of natural resources. The audit of the nonpoint source water pollution abatement program shall include a review of the priority watershed planning methods, priority watershed selection, program and budget management of priority watershed projects and project and program evaluation methods.

~~SECTION 12ym. 13.94 (4) (a) 4 of the statutes is created to read:~~

~~13.94 (4) (a) 4. The farm congress.~~

SECTION 12z. 14.065 of the statutes is created to read:

14.065 Expenditure of federal oil overcharge funds.

(1) In this section, "oil overcharge funds" means any oil overcharge restitution funds which the federal government disburses to this state under any act of congress, court order or administrative action.

(2) Notwithstanding s. 16.54, the governor may not authorize the expenditure of any oil overcharge funds unless a proposal for that expenditure under sub. (3) has been approved by the joint committee on finance.

(3) The governor shall submit to the joint committee on finance and to the appropriate legislative standing committees of each house of the legislature generally responsible for legislation related to state energy issues, a proposal for the expenditure of oil overcharge funds. Within 30 days after receipt of the proposal, each such standing committee may submit in writing recommendations on the proposal to the joint committee on finance.

(4) Thirty days after receipt of the proposal under sub. (3) or upon receipt of the recommendations of the standing committees under sub. (3), whichever is sooner, the joint committee on finance shall schedule a meeting under s. 13.10 to approve, modify or disapprove the proposal.

(5) The governor may not make any amendment to any proposal for the expenditure of oil overcharge funds which has been approved by the joint committee on finance unless that amendment is approved or modified and approved by the joint committee on finance under s. 13.10.

SECTION 13. 14.33 of the statutes is amended to read:

14.33 Employes. The lieutenant governor may employ within the limits of the appropriation appropriations under s. ~~20.525 (3)~~ 20.540 such staff as he or she deems necessary outside the classified service for such period and upon such terms as the lieutenant governor determines.

SECTION 14b. 14.35 of the statutes is created to read:

14.35 Authorized activities. The lieutenant governor may:

(1) Accept gifts, grants, bequests or devises, or federal moneys authorized by the governor under s. 16.54, to be used for the authorized functions of the office of lieutenant governor.

Vetoed in Part

(2) Conduct conferences or prepare and sell publications or promotional materials related to the authorized functions of the office of lieutenant governor.

SECTION 15r. 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 women's council has the powers and duties specified in s. 16.01 (4) ~~and (5)~~.

Vetoed in Part

SECTION 15v. 15.01 (4) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated 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 women's council has the powers and duties specified in s. 16.01 (4) ~~and (5)~~.

Vetoed in Part

SECTION 16ad. 15.01 (6) of the statutes is repealed and recreated to read:

15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a department, whether specifically created by law or created by the head of the department for the more economic and efficient administration and operation of the programs assigned to the department. The office of justice assistance in the department of administration has the meaning of "division" under this subsection.

SECTION 16d. 15.02 (3) (c) 1 of the statutes is repealed and recreated to read:

15.02 (3) (c) 1. The principal subunit of the department is the "division". Each division shall be headed by an "administrator". The office of justice assistance in the department of administration has the meaning of "division" and the executive staff director of the office of justice assistance in the department of administration has the meaning of "administrator" under this subdivision.

SECTION 18g. 15.06 (1) (b) of the statutes is amended to read:

15.06 (1) (b) The commissioners of banking, credit unions, savings and loan, insurance and securities shall each be nominated by the governor, and with the advice and consent of the senate appointed, for a 6-year term expiring on March 1 of an odd-numbered year to serve at the pleasure of the governor. Except as provided in s. 17.07 (3) and (5), the governor may not remove from office the commissioners of banking, credit unions, savings and loan, insurance and securities who were appointed for a fixed term before the effective date of this paragraph [revisor inserts date].

Vetoed in Part

SECTION 18r. 15.06 (1) (c) of the statutes is repealed.

~~SECTION 20m. 15.07 (1) (a) 5 of the statutes is repealed.~~

Vetoed in Part

SECTION 21m. 15.07 (1) (cm) of the statutes is amended to read:

15.07 (1) (cm) The terms of members of the personnel board shall expire on July 1. The terms of members of the state employees merit award board shall expire on July 1. The term of one member of the ethics board shall expire on each May 1. The terms of 2 members of the development finance board, other than ex officio members, shall expire on May 1 of every even-numbered year and the terms of the other 3 members, other than ex officio members, shall expire on May 1 of every odd-numbered year. The terms of members of the radioactive waste review board shall expire as specified under s. 15.105 (11) (c). The terms of the 3 members of the land conservation board appointed under s. 15.135 (4) (b) 2 shall expire on January 1. The terms of members of the real estate board shall expire on July 1.

~~SECTION 22m. 15.101 (5) of the statutes is repealed.~~

Vetoed in Part

SECTION 24m. 15.101 (15) of the statutes is repealed.

SECTION 24r. 15.101 (16) of the statutes is repealed.

SECTION 25m. 15.101 (20) of the statutes is created to read:

15.101 (20) OFFICE OF JUSTICE ASSISTANCE. The office of justice assistance shall have the program responsibilities specified under s. 16.964.

SECTION 28m. 15.105 (title) of the statutes is amended to read:

15.105 (title) Same; attached boards, commissions and office.

~~SECTION 28r. 15.105 (5) of the statutes is renumbered 13.475 and amended to read:~~

Vetoed in Part

~~13.475 State capitol and executive residence board. There is created a state capitol and executive residence board, attached to the department of administration under s. 15.03, consisting of the secretary of administration or the secretary's designee, the director of the historical society, the head of the engineering function in the department of administration or his or her designee, 3 senators and 3 representatives to the assembly appointed as are the members of standing committees in their respective houses, and 7 citizen members (legislators and persons who are not legislators, if any, appointed for staggered 6-year terms of whom at least 2 shall be architects licensed in this state, one shall be a landscape architect and 1 shall be interior designers by the joint committee on legislative organization. The joint committee on legislative organization shall designate the chairperson or the 2 cochairpersons of the board.~~

SECTION 28t. 15.105 (15) of the statutes is repealed.

SECTION 31m. 15.105 (19) of the statutes is created to read:

15.105 (19) OFFICE OF JUSTICE ASSISTANCE. There is created an office of justice assistance which is attached to the department of administration under s. 15.03. The executive staff director of the office shall be appointed by the governor to serve at the pleasure of the governor.

SECTION 31p. 15.107 (1) of the statutes is repealed.

SECTION 31q. 15.107 (1m) of the statutes is repealed.

SECTION 32g. 15.131 (5) of the statutes is repealed.

SECTION 32m. 15.135 (4) (b) 3 of the statutes is amended to read:

15.135 (4) (b) 3. ~~Two public~~ Three other members appointed for staggered 4-year terms. One of those members shall be a resident of a city with a population of 50,000 or more, one shall be a farmer and one shall be a member of a charitable corporation, charitable association or charitable trust, the purpose or powers of which include protecting natural resources, including scenic or open space, and maintaining or enhancing air or water quality.

SECTION 32mg. 15.135 (4) (c) of the statutes is renumbered 15.135 (4) (c) (intro) and amended to read:

15.135 (4) (c) *Advisory members.* (intro.) The board shall invite the:

1. The U.S. secretary of agriculture to appoint a representative of the soil conservation service and a representative of the agricultural stabilization and conservation service to serve as advisory members of the board. In addition, the board shall invite the

2. The dean of the college of agricultural and life sciences of the university of Wisconsin-Madison and the director of the university of Wisconsin-extension to serve or appoint a person to serve as an advisory member of the board.

SECTION 32mm. 15.135 (4) (c) 3 of the statutes is created to read:

15.135 (4) (c) 3. The staff of the county land conservation committees employed under s. 92.09 to designate jointly a person to serve as an advisory member of the board.

SECTION 32p. 15.135 (5) of the statutes is repealed.

SECTION 32pm. 15.138 of the statutes is created to read:

15.138 Farm congress. There is created a farm congress which shall be an independent organization of citizens of the state who are involved or interested in agriculture. The farm congress shall serve in an advisory capacity to the board of agriculture, trade and consumer protection on all matters under the jurisdic-

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~~tion of the board. The records, budget, studies and surveys of the farm congress shall be kept and established in conjunction with the department of agriculture, trade and consumer protection. The reports of the farm congress shall be a separate advisory opinion of such congress.~~

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SECTION 35. 15.151 (1) of the statutes is repealed and recreated to read:

15.151 (1) DEVELOPMENT FINANCE BOARD. The development finance board shall have the program responsibilities specified for the board under subch. IV of ch. 560.

SECTION 37. 15.155 (1) of the statutes is repealed and recreated to read:

15.155 (1) DEVELOPMENT FINANCE BOARD. There is created a development finance board attached to the department of development under s. 15.03 consisting of the secretary of development or the secretary's designee, the secretary of industry, labor and human relations or the secretary's designee, the director of the state vocational, technical and adult education board or the director's designee, ~~the president of the university of Wisconsin system or the president's designee~~ and 5 other members appointed by the governor for 2-year terms. The members, other than the ex officio members, shall represent the scientific, technical, labor, small business and financial communities of this state.

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~~SECTION 38m. 15.155 (2) of the statutes is amended 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 appointed by the governor from a list of 3 names submitted by the president of the Wisconsin state AFL-CIO, a member appointed by the speaker of the assembly, a member appointment by the president of the senate, a member appointed by the senate minority leader, a member appointed by the assembly minority leader and the executive director of the community development finance authority.~~

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SECTION 39. 15.157 (1) of the statutes is repealed and recreated to read:

15.157 (1) COUNCIL ON INTERNATIONAL TRADE. There is created in the department of development a council on international trade appointed by the secretary of development. The secretary of development shall determine the number of council members. The council shall include the secretary of development or the secretary's designee, the secretary of agriculture, trade and consumer protection or the secretary's designee and other members who are knowledgeable about commerce, industry, agribusiness and finance in international trade. The members who are not ex

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SECTION 41. 15.157 (4) of the statutes is repealed.

SECTION 42. 15.157 (5) of the statutes is repealed.

SECTION 42bm. 15.157 (6) of the statutes is created to read:

15.157 (6) COLUMBUS QUINCENTENNIAL COUNCIL. There is created in the department of development a Columbus quincennial council consisting of 12 members. The council shall advise the department on ways to celebrate the October 12, 1992, quincennial of the voyages of Christopher Columbus. This subsection does not apply after November 15, 1993.

Vetoed in Part ~~SECTION 43ag. 15.197 (18) of the statutes is repealed and recreated to read:~~

15.197 (18) COUNCIL ON PILOT PROJECTS FOR THE UNINSURED. There is created a council on pilot projects 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 appointed for terms ending June 30, 1991, or the effective date of the 1991-93 budget bill, whichever is later. Of those 9 members, 5 shall be appointed by the governor, 2 shall be appointed by the speaker of the assembly and 2 shall be appointed by the president of the senate.

Vetoed in Part ~~SECTION 43p. 15.197 (19) of the statutes is created to read:~~

15.197 (19) COUNCIL ON SEXUAL ASSAULT. There is created in the department of health and social services a council on sexual assault consisting of 7 members appointed for 3-year terms.

SECTION 43r. 15.197 (20) of the statutes is created to read:

15.197 (20) COUNCIL ON LONG-TERM CARE INSURANCE. There is created in the department of health and social services a council on long-term care insurance. The council shall consist of 9 members, of whom 5 shall be appointed by the governor, 2 shall be appointed by the president of the senate and 2 shall be appointed by the speaker of the assembly. The council shall advise the department of health and social services under s. 146.91. This subsection does not apply after September 1, 1988.

Vetoed in Part ~~SECTION 43x. 15.227 (17) of the statutes is created to read:~~

15.227 (17) LABOR AND MANAGEMENT COUNCIL. (a) There is created in the department of industry, labor and human relations a labor and management council to advise the department of industry, labor and human relations about sponsoring labor and management conferences and meetings and promoting positive relations between labor and management.

(b) The council shall have 15 members, serving 5-year terms, consisting of:

1. Five representatives of the labor community in this state.
2. Five representatives of the management community in this state.

3. Five nonvoting members who are public employes or officials.

SECTION 44g. 15.255 (1) (a) 7 of the statutes is amended to read:

15.255 (1) (a) 7. The executive staff director of the council on criminal justice office of justice assistance in the department of administration.

SECTION 44h. 15.257 (2) of the statutes is amended to read:

15.257 (2) CRIME VICTIMS COUNCIL. There is created in the department of justice a crime victims council consisting of 9 15 persons appointed by the attorney general for staggered 3-year terms. Of the 9 15 members, ~~4~~ 10 shall be citizen members, 2 shall represent organizations providing victim support services and one each shall be representatives of law enforcement, district attorneys and the judiciary. The citizen members shall have demonstrated sensitivity and concern for crime victims.

~~SECTION 44i. 15.341 (1) of the statutes is amended to read:~~

15.341 (1) WISCONSIN WATERWAYS COMMISSION. The Wisconsin waterways commission shall have the program responsibilities specified for the commission under ~~s. 30.92 ss. 23.09 (25) (e), 33.16 (1m) and 33.40.~~

~~SECTION 44im. 15.341 (1) of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed and recreated to read:~~

15.341 (1) WISCONSIN WATERWAYS COMMISSION. The Wisconsin waterways commission shall have the program responsibilities specified for the commission under ss. 33.16 (1m) and 33.40.

SECTION 44j. 15.347 (6) of the statutes is amended to read:

15.347 (6) AIR POLLUTION CONTROL COUNCIL. There is created in the department of natural resources an air pollution control council consisting of 7 members familiar with air pollution and control, appointed for staggered 3-year terms. At least one member of the council shall be a person representing the owners or operators of one or more stationary sources that emit volatile organic compounds in the volatile organic compound accommodation area, as defined in s. 144.30 (25) and at least one member shall be a person representing an environmental group.

~~SECTION 44k. 15.347 (14) of the statutes is created to read:~~

15.347 (14) PETROLEUM STORAGE ENVIRONMENTAL CLEANUP COUNCIL. There is created in the department of natural resources a petroleum storage environmental cleanup council consisting of 7 members appointed for 4-year terms by the secretary of natural resources. In appointing members to the council the secretary of natural resources shall consider the appointment of petroleum product transporters, manufacturers and suppliers, petroleum product retailers and wholesalers and recognized authorities in the fields of hydroge-

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SECTION 44r. 15.377 (7) of the statutes is amended 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 person appointed by the chairperson of that council executive staff director of the office of justice assistance in the department of administration. Members shall be appointed for terms expiring on July 1, 1989.

Vetoed in Part SECTION 44r. 15.377 (7m) of the statutes is created to read:

~~15.377 (7m) 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 person appointed by the executive staff director of the office of justice assistance in the department of administration. Members shall be appointed for 3-year terms.~~

SECTION 45. 15.435 (1) (f) of the statutes is repealed.

SECTION 46. 15.435 (1) (g) of the statutes is amended to read:

15.435 (1) (g) *Assistance; advice.* The executive secretary board may request of any state agency such assistance as may be necessary for the board to fulfill its duties. The board may request advice from the legislative council mining committee on any matter relating to the board's duties.

SECTION 47. 15.435 (1) (h) of the statutes is repealed.

SECTION 48. 15.467 (2) of the statutes is amended to read:

15.467 (2) COUNCIL ON AERONAUTICS. There is created in the department of transportation a council on aeronautics. The council shall consist of 5 members, who shall be qualified by their knowledge of, experience in or interest in, aeronautics appointed for staggered 6-year terms. ~~The secretary of development or~~

~~the secretary's designee shall attend all meetings of the council, but shall have no official vote.~~

~~SECTION 49g. 15.57 (2) of the statutes is amended to read:~~

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

~~SECTION 49r. 15.57 (5) of the statutes is repealed.~~

~~SECTION 49w. 15.57 (7) of the statutes is created to read:~~

~~15.57 (7) One member appointed for a 4-year term by and from the membership of the district board of vocational, technical and adult education of the district encompassing the city having the largest population in this state.~~

SECTION 51. 15.701 (1) of the statutes is repealed.

SECTION 52. 15.701 (3) of the statutes is repealed.

SECTION 54. 15.703 of the statutes is repealed.

SECTION 57m. 16.004 (8) (title) and (a) of the statutes are amended to read:

16.004 (8) (title) STATE-OWNED HOUSING RENTALS. (a) The secretary shall establish and maintain a system relating to the rentals charged of rental rates and policies for state-owned housing and shall review the system for possible changes every 2 years and shall submit a recommendation report relating to the system to the joint committee on finance in March of each even-numbered year. Such The report relating to the system shall include any changes in rental rates or policies recommended by the secretary.

(d) The system established under par. (a) shall also include a procedure for review of the need to retain state-owned housing units and possible disposition of such units. Recommendations The secretary shall submit recommendations regarding the disposition of any housing units shall be submitted to the building commission.

SECTION 58. 16.004 (8) (b) of the statutes is amended to read:

16.004 (8) (b) The joint committee on finance, following its review, shall approve a rental rate structure to govern rental rates and policies for state-owned housing. Any changes in rental rates or policies shall be effective for the subsequent 2-year period beginning on July 1 of such the even-numbered year following their submittal under par. (a).

SECTION 58m. 16.004 (8) (c) of the statutes is created to read:

16.004 (8) (c) Notwithstanding par. (b), if the cochairpersons of the joint committee on finance do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the recommended changes in rental rates or policies contained in the report submitted under par. (a) within 14 working days after the date of the secretary's submittal, the secretary may implement any recommended changes in rental rates or policies contained in the report. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify

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the secretary that the committee has scheduled a meeting for the purpose of reviewing the recommended changes in rental rates or policies contained in the report, the secretary may implement the recommended changes only with the approval of the committee.

SECTION 63m. 16.007 (6) (b) 2 of the statutes is repealed.

SECTION 69m. 16.009 (1) (intro.) and (a) to (em) of the statutes are renumbered 16.009 (2) (intro.) and (a) to (em), and 16.009 (2) (a), as renumbered, is amended to read:

16.009 (2) (a) Appoint an executive director outside and staff within the classified service to serve at the pleasure of the board. The executive director shall supervise day to day implementation of the board's functions and shall appoint staff outside the classified service to perform these functions.

SECTION 70g. 16.009 (1) (f) to (j) of the statutes are renumbered 16.009 (2) (f) to (j), and 16.009 (2) (j), as renumbered, is amended to read:

16.009 (2) (j) Provide information and counseling to consumers regarding insurance policies available to supplement federal medicare insurance coverage, including long-term care insurance, and the eligibility requirements for medical assistance under s. 49.46 (1) or 49.47 (4). To implement this responsibility, the board shall provide training, educational materials and technical assistance to volunteer organizations and private businesses willing and able to provide insurance and medical assistance eligibility information and counseling, in order that these organizations and businesses may provide the information and counseling to consumers.

SECTION 70m. 16.009 (1) of the statutes is created to read:

16.009 (1) In this section, "long-term care insurance" means insurance that provides coverage both for an extended stay in a nursing home and home health services for a person with a chronic condition. The insurance may also provide coverage for other services that assist the insured person in living outside a nursing home, including but not limited to adult day care and continuing care retirement communities.

SECTION 70r. 16.009 (2) of the statutes is renumbered 16.009 (3).

~~SECTION 70ra. 16.009 (2) (k) of the statutes is created to read:~~

~~16.009 (2) (k) Administer the funds from the appropriation under s. 20.432 (2) (a) for the provision of advocacy services under s. 51.62 (3m).~~

SECTION 70sg. 16.01 (1) of the statutes is renumbered 16.01 (1) (intro.) and amended to read:

16.01 (1) (intro.) In this section, "agency":

(b) "Agency" means any 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 and the courts, and any authority created under ch. 231, 233 or 234.

SECTION 70sm. 16.01 (1) (a) and (c) to (f) of the statutes are created to read:

16.01 (1) (a) "Adolescent" means a person who is at least 12 years of age but under the age of 18.

~~(c) "Dropout" has the meaning given under s. 118.153 (1) (b).~~

~~(d) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.~~

~~(e) "Organization" means a nonprofit corporation or a public agency which proposes to provide adolescent choices project services.~~

~~(f) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.~~

SECTION 70sr. 16.01 (4) and (5) of the statutes are created to read:

16.01 (4) ~~(a)~~ From the appropriation under s. 20.505 (3) (b), the women's council shall make grants to applying organizations for the provision, on a regional project basis, of information to communities in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

~~1. Reducing adolescent pregnancy and high school dropout rates.~~

~~2. Increasing economic self-sufficiency and expanding career options for adolescents, particularly options with respect to occupations with wages higher than the minimum wage.~~

~~3. Enhancing individual adolescent self-esteem, interpersonal skills and responsible decision making.~~

~~4. Neutralizing sex-role stereotyping and bias.~~

~~(b) Each funded project under par. (a) shall provide services in one of 6 regional areas of the state. The women's council shall determine the boundaries of the regional areas prior to soliciting project grant applications.~~

~~(c) Prior to making grants to applying organizations under par. (a), the women's council shall consider whether and how the applying organization proposes to coordinate its services with other public or private resources, programs or activities in the region and the state.~~

~~(5) The women's council shall work closely with the department of health and social services and the department of public instruction, on a continuing basis, concerning the scope and direction of activities under projects funded by the program under sub. (4).~~

SECTION 70t. 16.04 (title) and (1) (intro.) of the statutes are amended to read:

16.04 (title) Fleet management and maintenance. (1) (intro.) The department shall ensure optimum efficiency and economy in the vehicle fleet management

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and maintenance activities of all agencies as defined in s. 16.52 (7). The department may:

SECTION 70ta. 16.04 (1) (a) of the statutes is amended to read:

16.04 (1) (a) Develop uniform state policies and guidelines for vehicle and aircraft acquisition, use, maintenance, recording of operational and other costs, performance evaluation and replacement of vehicles and aircraft.

SECTION 70tb. 16.04 (1) (am) of the statutes is created to read:

16.04 (1) (am) Establish guidelines for the use by agencies of charter air travel or travel by private aircraft.

SECTION 70tc. 16.04 (1) (b) of the statutes is amended to read:

16.04 (1) (b) Screen all requests for additional or replacement vehicle or aircraft acquisitions prior to forwarding the requests to the governor in accordance with s. 20.915 (1).

SECTION 70td. 16.04 (1) (c) of the statutes is amended to read:

16.04 (1) (c) Maintain a current inventory of all state-owned or leased motor vehicles and aircraft.

SECTION 70te. 16.04 (1m) of the statutes is amended to read:

16.04 (1m) When requested by the governor or the joint committee on finance, the department shall submit a report to the governor and the joint committee on finance on the details of all costs associated with vehicle fleet operations, based upon a statewide uniform cost accounting system.

SECTION 70tf. 16.04 (2) of the statutes is amended to read:

16.04 (2) Each agency which is authorized by the department may operate a vehicle or aircraft fleet. Each such agency shall assign a fleet manager who shall operate the agency's fleet in accordance with policies, guidelines and rules adopted by the department to implement this section.

SECTION 70tg. 16.04 (3) of the statutes is amended to read:

16.04 (3) Each fleet manager shall review the use of state-owned or leased vehicles or aircraft within his or her agency at least semiannually to determine whether usage criteria are being met. The department shall periodically audit the agencies' records relating to fleet operations and the use of state-owned or leased vehicles or aircraft.

SECTION 70tm. 16.04 (4) of the statutes is created to read:

16.04 (4) The department shall provide central scheduling and dispatching of all air transportation on state-owned aircraft.

SECTION 70tn. 16.04 (5) of the statutes is created to read:

16.04 (5) The department shall develop operational policies for all state employes who act as pilots-in-command of any state-owned aircraft, including, but not limited to, crew rest requirements, current flight training, flight checks and flight physical examinations.

~~SECTION 70ts. 16.20 (1) (e) of the statutes is amended to read:~~

~~16.20 (1) (e) "Local unit of government" means the governing body of any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or school district or the Yahara watershed management district or the elected tribal governing body of a federally recognized American Indian tribe or band.~~

SECTION 70tv. 16.20 (1) (fm) of the statutes is created to read:

16.20 (1) (fm) "Public assistance" means general relief under s. 49.02, relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47, low-income energy assistance under s. 49.80 and the food stamp program under 7 USC 2011 to 2029.

~~SECTION 70u. 16.20 (10) (c) of the statutes is amended to read:~~

~~16.20 (10) (c) Wages. Corps members shall be paid at the prevailing federal minimum wage rate of \$3.52 per hour during the period of the effective date of this paragraph ... [revisor inserts date] to December 31, 1987. On and after January 1, 1988, corps members shall be paid at the rate of \$3.52 per hour or at the minimum wage under s. 104.025 (2) (a) whichever is higher. Assistant crew leaders and crew leaders may be paid more than the prevailing federal minimum wage paid to corps members.~~

~~SECTION 70v. 16.20 (10) (f) of the statutes is amended to read:~~

~~16.20 (10) (f) Health care and other benefits. A corps enrollee is not an eligible employe for health care benefits or other benefits under ch. 40, except that, for purposes of long-term care insurance coverage under s. 40.55, a corps enrollee is an eligible employe.~~

SECTION 71. 16.20 (10) (g) of the statutes is repealed and recreated to read:

16.20 (10) (g) Incentive payment or voucher. 1. 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 which is worth at least \$1,000 but not more than \$1,500.

2. The board may authorize a partial incentive payment or education voucher to a person who is employed as a corps enrollee and who receives a satis-

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factory employment evaluation upon termination of employment if the person is employed as a corps enrollee for less than a one-year period of continuous employment and the board determines that employment was terminated because of special circumstances beyond the control of the corps enrollee or if the person is employed as a corps enrollee for at least 10 months but less than a one-year period of continuous employment and the board determines that employment 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.

3. 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 71d. 16.20 (12) (am) of the statutes is repealed and recreated to read:

16.20 (12) (am) *Employment of certain persons.* On and after January 1, 1988, the board shall hire at least 50% of its corps members from among those persons who are eligible to receive public assistance at the time of application for employment.

SECTION 71g. 16.40 (14) of the statutes is amended 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 per fiscal year. 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 per fiscal year 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. The budget may cover a period encompassing more than one fiscal year or biennium during the governor's term of office. If the joint committee on finance approves a budget authorizing expenditures of more than \$2,000 per fiscal year by a committee, the governor may authorize the expenditures to be made ~~from~~ within the limits of the appropriation under s. 20.505 (3) (a) in accordance with the approved budget during the period covered by the budget. If after the joint committee on finance approves a budget for a committee the governor desires to authorize expenditures in excess of the authorized expenditures under the approved budget, the governor shall submit a modified budget for the committee to the joint committee on finance. If the joint committee on finance approves a modified budget, the governor may authorize additional

expenditures to be made within the limits of the appropriation under s. 20.505 (3) (a) in accordance with the modified budget during the period covered by the modified budget.

SECTION 71m. 16.40 (19) of the statutes is created to read:

16.40 (19) STATE-OWNED RENTAL HOUSING. Require each agency as defined in s. 16.52 (7) which has a program revenue or segregated revenue appropriation for deposit of housing receipts to deposit all revenues received from rentals established under s. 16.004 (8) for state-owned housing in that appropriation account, or if the appropriation is for more than one purpose, in a separate subaccount within that appropriation, and to pay all expenses for maintenance of the housing from that account or subaccount.

SECTION 71w. 16.50 (1) (a) of the statutes is amended to read:

16.50 (1) (a) Each department except the legislature and the courts shall prepare and submit to the secretary an estimate of the amount of money which it proposes to expend, encumber or distribute under any appropriation in ch. 20. The department of administration shall prepare and submit estimates for expenditures from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may waive the submission of estimates of other than administrative expenditures from such funds as he or she determines, but the secretary shall not waive submission of estimates for the appropriations under s. 20.285 (1) (im) and (n). Estimates shall be prepared in such form, at such times and for such time periods as the secretary requires. Revised and supplemental estimates may be presented at any time under rules promulgated by the secretary.

SECTION 73. 16.50 (3) of the statutes, as affected by 1987 Wisconsin Act 4, section 12, is amended to read:

16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No change in the number of full-time equivalent positions authorized through the biennial or annual budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2) or by the board of regents of the university of Wisconsin system under s. 16.505 (2m). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance

creating or abolishing positions under s. 13.10, ~~or~~ the intent of the governor creating or abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the university of Wisconsin system in creating or abolishing positions under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any position changes made by the governor under s. 16.505 (1) (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as provided in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 73m. 16.50 (3) of the statutes, as affected by 1987 Wisconsin Act 4, section 12m, is amended to read:

16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No change in the number of full-time equivalent positions authorized through the biennial budget process or other legislative act may be made without the approval of the joint committee on finance, except for position changes made by the governor under s. 16.505 (1) (c) or (2) or by the board of regents of the university of Wisconsin system under s. 16.505 (2m). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance creating or abolishing positions under s. 13.10, ~~or~~ the intent of the governor creating or abolishing positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the university of Wisconsin system in creating or abolishing positions under s. 16.505 (2m). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any position changes made by the governor under s. 16.505 (1) (c). No pay

increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as provided in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 73p. 16.50 (5m) of the statutes is created to read:

16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5) do not apply to expenditures authorized under s. 20.285 (2) (i) 2.

SECTION 74. 16.505 (1) (intro.) of the statutes is amended to read:

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

SECTION 75. 16.505 (2m) of the statutes is created to read:

16.505 (2m) The board of regents of the university of Wisconsin system may create or abolish a full-time equivalent position or portion thereof from revenues appropriated under s. 20.285 (1) (j) or (m). No later than the 15th of the month following completion of each calendar quarter, the board of regents shall report to the department and the cochairpersons of the joint committee on finance concerning the number of full-time equivalent positions created or abolished by the board under this subsection during the preceding calendar quarter and the source of funding for each such position.

SECTION 76. 16.505 (4) of the statutes is created to read:

16.505 (4) (a) In this subsection, "agency" has the meaning given under s. 16.52 (7).

(b) No agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 78. 16.517 of the statutes, as affected by 1987 Wisconsin Act 4, section 16, is amended to read:

16.517 Adjustments of program revenue positions and funding levels. No later than 30 days after the effective date of each biennial and each annual 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) or (2m) and 16.515 in the fiscal year immediately preceding the biennium or fiscal year of the budget and not included in authorizations under the biennial or annual budget act but which should be included as continued budget authorizations in the biennium or fiscal year 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 or fiscal year of the budget due to appropriation or position increases authorized under ss. 16.505 (2) or (2m) and 16.515 subsequent to October 1 of the fiscal year immediately preceding the biennium or fiscal year 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 78m. 16.517 of the statutes, as affected by 1987 Wisconsin Act 4, section 16m, is amended 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) or (2m) 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) or (2m) 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 80. 16.54 (2) (b) of the statutes is amended to read:

16.54 (2) (b) 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~~ provisions under s. 49.80, the joint committee on finance may revise the eligibility criteria under s. 49.80 (5) ~~or~~, benefit payments under s. 49.80 (6) or the amount allocated for crises under s. 49.80 (3) (e) 2 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~~ 90% of the amount received in federal fiscal year 1987, in federal fiscal year 1986 1988 or in federal fiscal year 1987 1989, 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 81. 16.54 (8g) of the statutes is created to read:

16.54 (8g) Subsections (1) to (8) do not apply to federal moneys made available to the board of regents of the university of Wisconsin system for instruction, extension, special projects or emergency employment opportunities.

SECTION 82. 16.54 (8r) of the statutes is created to read:

16.54 (8r) (a) Whenever the federal government makes available moneys for instruction, extension, special projects or emergency employment opportunities, the board of regents of the university of Wisconsin system may accept the moneys on behalf of the state. The board of regents shall, in the administration of the expenditure of such moneys, comply with the requirements of the act of congress making the moneys available and with the regulations prescribed by the federal government or the federal agency administering the act, insofar as the act or regulations are consistent with state law. The board of regents may submit any plan, budget, application or proposal

required by the federal agency as a precondition to receipt of the moneys. The board of regents may, consistent with state law, perform any act required by the act of congress or the federal agency to carry out the purpose of the act of congress. The board of regents shall deposit all moneys received under this paragraph in the appropriation account under s. 20.285 (1) (m).

(b) The board of regents shall report to the governor and the cochairpersons of the joint committee on finance no later than the 15th day following completion of each calendar quarter concerning the date, amount and purpose of any federal moneys accepted by the board under par. (a) during the preceding quarter.

SECTION 83. 16.54 (9) (b) of the statutes is amended to read:

16.54 (9) (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.

SECTION 83m. 16.543 of the statutes is repealed.

SECTION 84. 16.544 (1) of the statutes is amended to read:

16.544 (1) Each agency that is informed by a federal agency that any liability of \$10,000 or more incurred by the agency that has been or was anticipated to be assumed by the federal government from federal moneys received by the agency will not be an allowable use of the federal moneys shall notify the department and the joint committee on finance in writing of the disallowance. The notice shall include a statement of the method proposed by the agency to settle the disallowance.

SECTION 85. 16.544 (3) of the statutes is amended to read:

16.544 (3) Prior to taking final action to remove any liability related to ~~an audit~~ a disallowance ~~reported under sub. (1) of the use of federal moneys,~~ an agency shall submit to the department a statement of the action proposed to remove the liability. The department may approve, disapprove or approve with modifications each such proposed action. The secretary shall forward a copy of each statement of proposed action approved by the department to the joint committee on finance. This subsection does not apply to an action taken by the board of regents of the university of Wisconsin system, within the statutory authority of the board, to remove a liability of less than \$5,000.

SECTION 86. 16.544 (4) of the statutes is created to read:

16.544 (4) In this section, “agency” has the meaning given under s. 16.52 (7).

SECTION 90. 16.62 (2) of the statutes is amended to read:

16.62 (2) The department may establish user charges for records storage and retrieval services, with any moneys collected to be credited to the appropriation under s. 20.505 (1) ~~(j)~~ (im) or (kg). Such charges shall be structured to encourage efficient utilization of the services.

SECTION 91. 16.62 (3) of the statutes is amended to read:

16.62 (3) The department may establish user fees for the services of the public records and forms board ~~and its coordinator. Those fees shall be sufficient to fund the necessary services.~~ Any moneys collected shall be credited to the appropriation under s. 20.505 (1) ~~(j)~~ or (kg).

~~SECTION 91g. 16.705 (1) of the statutes is renumbered 16.705 (1) (a) and amended to read:~~

~~16.705 (1) (a) The Except as provided in par. (b), the department or its agents may contract for services which can be performed more economically or efficiently by such contract.~~

~~SECTION 91h. 16.705 (1) (b) of the statutes is created to read:~~

~~16.705 (1) (b) The department or its agents are prohibited from contracting for the cleaning or maintenance of any property for which the department has managing authority under s. 16.84 (1) on or after the effective date of this paragraph ... [revisor inserts date], unless the department originally contracted for the cleaning or maintenance of that property prior to that date.~~

SECTION 93c. 16.75 (1) (a) of the statutes is amended to read:

16.75 (1) (a) 1. 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 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.~~

3. 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

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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 93f. 16.75 (1) (a) 2 of the statutes is created to read:

16.75 (1) (a) 2. If a vendor is not a Wisconsin producer, distributor, supplier or retailer and the department determines that the state, foreign nation or subdivision thereof in which the vendor is domiciled grants a preference to vendors domiciled in that state, nation or subdivision in making governmental purchases, the department and any agency making purchases under s. 16.74 shall give a preference over that vendor to Wisconsin producers, distributors, suppliers and retailers, if any, when awarding the order or contract. The department may enter into agreements with states, foreign nations and subdivisions thereof for the purpose of implementing this subdivision.

SECTION 93g. 16.75 (3m) (c) 4 of the statutes is amended to read:

16.75 (3m) (c) 4. The department shall annually prepare and submit a report to the governor and to the presiding officer of each house of the legislature on the total amount of money paid to and of indebtedness or other obligations underwritten by minority businesses, minority financial advisers and minority investment firms under the requirements of this subsection and ss. 16.855 (10m), 16.87 (2) ~~and, 18.16, 18.64, 18.77, 25.185, 84.075, 231.27 and 234.85~~ and on this state's progress toward achieving compliance with par. (b) and ss. 16.855 (10m) (a), 16.87 (2) ~~and, 18.16~~

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~~(2) to (4), 18.64 (2) to (4), 18.77 (2) to (4), 25.185, 84.075 (1), 231.27 (2) to (5) and 234.85 (2) to (5).~~

SECTION 93gm. 16.75 (3m) (c) 5 of the statutes is amended to read:

16.75 (3m) (c) 5. In determining whether a purchase, contract or subcontract complies with the goal established under par. (b) or s. 16.855 (10m) ~~or, 16.87 (2), 18.16 (2) to (4), 18.64 (2) to (4), 18.77 (2) to (4), 25.185, 231.27 (2) to (5) or 234.85 (2) to (5)~~, the department shall include only amounts paid to minority businesses, minority financial advisers and minority investment firms certified by the department of development under s. 560.036 (2).

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SECTION 94e. 16.75 (8) of the statutes is amended to read:

16.75 (8) The department shall not purchase any product known to be manufactured or sold by any person or firm included on the list of labor law violators compiled by the department of industry, labor and human relations under s. 101.245. The secretary may waive this subsection if maintenance, repair or operating supplies are required to maintain systems or equipment which were purchased by the state from a person or firm included on the list prior to the date of inclusion on the list, or if the secretary finds that there exists an emergency which threatens the public health,

safety or welfare and a waiver is necessary to meet the emergency. Each waiver shall be entered on the record specified in sub. (1) (a) 3.

SECTION 94m. 16.754 (2) of the statutes is amended to read:

16.754 (2) PURCHASE PREFERENCE. Notwithstanding s. 16.75 (1) (a) 2, (2), (2m) and (6), when all other factors are substantially equal the state shall purchase materials which are manufactured to the greatest extent in the United States.

SECTION 94s. 16.754 (3) (intro.) of the statutes is amended to read:

16.754 (3) EXEMPTIONS. (intro.) Subsection (2) does not apply if the materials are purchased for the purpose of commercial resale or for the purpose of use in the production of goods for commercial sale. Subsection (2) does not apply to the purchase of stationery and printing materials. Subsection (2) does not apply if the department determines, under s. 16.75 (1) (a) 2, that the foreign nation or subdivision thereof in which the vendor is domiciled does not give preference to vendors domiciled in that nation or subdivision in making governmental purchases. Subsection (2) does not apply if the department or other person having contracting authority in respect to the purchase determines that:

SECTION 95. 16.84 (1) of the statutes is amended to read:

16.84 (1) Have charge of, operate, maintain and keep in repair the state capitol building, the executive residence, the light, heat and power plant, the state office buildings and their power plants, the grounds connected therewith, and such other state properties as are designated by law. All costs of such operation and maintenance shall be paid from the appropriation under s. 20.505 (4) ~~(k)~~ (5) (ka), except for debt service costs paid under s. 20.866 (1) (u). The department shall transfer moneys from the appropriation under s. 20.505 (5) (ka) to the appropriations under s. 20.505 (5) (kb) and (kc) sufficient to make lease rental payments and principal and interest payments on state facilities.

SECTION 96. 16.84 (2) of the statutes is amended to read:

16.84 (2) Appoint such number of security officers as is necessary to safeguard all public property placed by law in the department's charge and, when respond to alarms at the historical society museum located at 30 N. Carroll Street in the city of Madison. When authorized by the governor, the department shall appoint such number of security officers as is necessary to safeguard state officers or other persons. Such All such security officers may arrest, with or without warrant, any person violating any law within or around any of said properties or in the presence or vicinity of said state officers or other persons being safeguarded by authorization of the governor. Nothing in this subsection limits or impairs the duty of the chief and each police officer of the police force of the

municipality in which the property is located to arrest and take before the proper court or magistrate persons found in a state of intoxication or engaged in any disturbance of the peace or violating any state law, except s. 16.843 (2), in or around any of said properties located in the municipality in which the property is located, as required by s. 62.09 (13).

SECTION 97. 16.84 (12) (intro.) of the statutes is amended to read:

16.84 (12) (intro.) Provide for the establishment of procedures for the operation of the department's facility operations and maintenance appropriation under s. 20.505 ~~(4) (kf)~~ (5) (ka) so that:

SECTION 97m. 16.855 (1) of the statutes is amended to read:

16.855 (1) The department shall let by contract to the lowest qualified responsible bidder all construction work when the estimated construction cost of the project exceeds \$30,000, except as provided in sub. (10m) or s. 13.48 (19). ~~In the absence of compelling reasons to the contrary, preference shall be given to Wisconsin-based firms~~ If a bidder is not a Wisconsin firm and the department determines that the state, foreign nation or subdivision thereof in which the bidder is domiciled grants a preference to bidders domiciled in that state, nation or subdivision in making governmental purchases, the department shall give a preference over that bidder to Wisconsin firms, if any, when awarding the contract, in the absence of compelling reasons to the contrary. The department may enter into agreements with states, foreign nations and subdivisions thereof for the purpose of implementing this subsection.

SECTION 99. 16.959 of the statutes is repealed.

SECTION 99m. 16.964 of the statutes is created to read:

16.964 Office of justice assistance. (1) The office of justice assistance shall:

(a) Serve as the state planning agency under the juvenile justice and delinquency prevention act of 1974, P.L. 93-415.

(b) Prepare a state comprehensive juvenile justice improvement plan on behalf of the governor. The plan shall be submitted to the joint committee on finance in accordance with s. 16.54 and to the appropriate standing committees of each house of the legislature as determined by the presiding officer of each house. The plan shall be updated periodically and shall be based on an analysis of the state's juvenile justice needs and problems.

(c) Recommend appropriate legislation in the criminal and juvenile justice field to the governor and the legislature.

(d) Cooperate with and render technical assistance to state agencies and units of local government and public or private agencies relating to the criminal and juvenile justice system.

(e) Apply for contracts or receive and expend for its purposes any appropriation or grant from the state, a political subdivision of the state, the federal government or any other source, public or private, in accordance with the statutes.

(2) The governor shall appoint an executive director under s. 15.105 (19) outside of the classified service.

SECTION 100. 16.965 of the statutes is repealed.

SECTION 100m. 16.969 of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed.

SECTION 101. 16.969 (1) (d) of the statutes is amended to read:

16.969 (1) (d) Recommend appropriate legislation in the criminal and juvenile justice field to the governor and the legislature.

SECTION 102. 16.969 (1) (g) of the statutes is amended to read:

16.969 (1) (g) Cooperate with and render technical assistance to state agencies and units of local government and public or private agencies relating to the criminal and juvenile justice system.

SECTION 103. 16.969 (1) (i) of the statutes is repealed and recreated to read:

16.969 (1) (i) Maintain a statistical analysis center to serve as a clearing house of justice system data and information and conduct justice system research and data analysis under this section.

SECTION 104. 16.969 (2) (b) 1 of the statutes is amended to read:

16.969 (2) (b) 1. Collect information concerning the number and nature of offenses known to have been committed in this state and such other information as may be useful in the study of crime and the administration of justice. The council may determine any other information to be obtained regarding crime and justice system statistics. The information shall include such data as may be requested by the federal bureau of investigation under its system of uniform crime reports for the United States.

SECTION 105. 16.969 (2) (b) 2 of the statutes is amended to read:

16.969 (2) (b) 2. Furnish all reporting officials with forms and or instructions or both which specify the nature of the information required under subd. 1, the time it is to be forwarded, the method of classifying and any other matters which facilitate collection and compilation.

SECTION 106. 16.969 (2) (c) of the statutes is amended to read:

16.969 (2) (c) All persons in charge of law enforcement agencies and other criminal and juvenile justice system agencies shall supply the council with the information described in par. (b) 1 on the basis of the forms and or instructions or both to be supplied by the council under par. (b) 2.

SECTION 107. 16.969 (3) of the statutes is amended to read:

16.969 (3) EXECUTIVE DIRECTOR AND STAFF. The governor shall appoint an executive director outside of the classified service who shall serve at the pleasure of the governor. The executive director shall appoint a deputy director outside of the classified service and all other staff within the classified service. To the extent possible, staff vacancies shall be filled by persons with recall rights from layoff from the council in existence prior to July 2, 1983.

SECTION 108. 16.98 (3) of the statutes is amended to read:

16.98 (3) All proceeds from the sale of land, buildings, supplies and equipment received under this section shall be credited to the appropriation under s. 20.505 (1) ~~(j)~~ (im) or (ka). Such proceeds may be used for the purchase of lands and buildings or for construction or improvement of buildings for the purpose of storing and handling excess and surplus property.

SECTION 109. 16.981 of the statutes is created to read:

16.981 Transfer of appropriations. On June 30 of each fiscal year, the department shall determine the amount within the appropriation under s. 20.505 (1) (im) by which total expenditures for the operation of warehouses and distribution centers under the federal resource acquisition program have exceeded income attributable to that operation under that appropriation as of that date. Immediately prior to the end of the fiscal year, the department shall transfer to the appropriation under s. 20.505 (1) (im) an amount equal to that excess from the unencumbered balances in the appropriation under s. 20.505 (1) (a). If the excess exceeds the unencumbered balance in any fiscal year, the department shall transfer all of the unencumbered balance. If the unencumbered balance exceeds the excess in any fiscal year, the department shall transfer an amount equal to the excess. ~~The department shall assure that at least \$122,800 is transferred under this paragraph in each fiscal year for so long as the excess exceeds \$122,800.~~

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~~SECTION 109g. 17.15 (3) of the statutes is created to read:~~

~~17.15 (3) Any appointed commissioner of the Yahara watershed management district under s. 33.44 (2) (a) or (b) may be removed by the appointing authority, for cause.~~

~~SECTION 109r. 17.27 (1n) of the statutes is created to read:~~

~~17.27 (1n) YAHARA WATERSHED MANAGEMENT DISTRICT. Vacancies in the office of any commissioner of the Yahara watershed management district elected under s. 33.44 (2) (c) shall be filled by temporary appointment of the governor until a successor is elected and qualified. A successor shall be elected in the manner prescribed for filling vacancies in elective city offices under s. 17.23 (1) (a). Vacancies in the office of any commissioner of the Yahara watershed management district appointed under s. 33.44 (2) (a)~~

~~or (b) shall be filled by the appointing authority for the residue of the unexpired term.~~ Vetoed
in Part

SECTION 110. 18.04 (6) of the statutes is amended to read:

18.04 (6) (a) Public debt contracted for any of the purposes under sub. subs. (1) and (5) ~~or contracted for the purpose of making funds available for veterans' housing loans~~ may include public debt contracted to fund interest, accrued or to accrue, on the public debt and to fund reserve funds for the public debt.

(b) ~~Notwithstanding ss. 18.08 and 18.09, the~~ The commission may direct that moneys resulting from any public debt contracted for any of the purposes under sub. (5) ~~or contracted for the purpose of making funds available for veterans' housing loans~~ this section be deposited in the funds or accounts created or designated by resolution of the commission or established by resolution under s. 45.79 (7), including escrow accounts established under refunding escrow agreements that are authorized by the commission.

(c) Notwithstanding ~~ss. 18.08, 18.09 and s.~~ 25.17, moneys deposited or held in funds or accounts under par. (b) and all other moneys received under s. 45.79 (7) (a) (intro.) may be invested in any obligations, either through cash purchase or exchange, as specified by resolution of the commission.

(d) Notwithstanding ~~ss. 18.09 and s.~~ 25.17, moneys deposited or held in funds or accounts under par. (b) may be transferred to other funds or accounts or expended as provided by resolution of the commission, except that moneys resulting from public debt contracted for the purpose set forth in sub. (5) (b) and deposited in an escrow account shall be payable solely for the purposes of the bond security and redemption fund and for costs related to the creation and maintenance of the escrow account.

SECTION 111. 18.06 (4) of the statutes is amended to read:

18.06 (4) BONDS. An authorizing resolution may authorize the issuance and sale of bonds. Such a ~~Such a~~ Except as provided in sub. (5), that sale shall be public and noticed as provided in the authorizing resolution. Any or all bids received may be rejected and the sale canceled, or the sale of all or any part of the bonds negotiated, after bids at public sale have been rejected.

SECTION 112. 18.06 (5) of the statutes is amended to read:

18.06 (5) FUNDING AND REFUNDING. An authorizing resolution may authorize, for any one or more of the purposes described in s. 18.04 (1), the issuance and sale of notes as provided in sub. (3) or the issuance and sale of bonds as provided in sub. (4). Such a sale shall be for not less than par value, plus accrued interest to the date of delivery. No such notes may be sold to pay bonds or bonded corporation indebtedness That sale may be public or private as provided in the authorizing resolution, and public debt may be exchanged in payment of or for the acquisition of other public debt.

SECTION 113. 18.06 (6) of the statutes is amended to read:

18.06 (6) EXERCISE OF AUTHORITY. Public debt may be contracted and evidence of indebtedness issued therefor pursuant to under one or more authorizing resolutions, unless otherwise provided in the resolution, at any time and from time to time, for any combination of purposes, in any specific amounts, at any rates of interest, at any price or percentage of par value, for any term, payable at any intervals, at any place, in any manner and having any other terms or conditions deemed necessary or useful. A resolution authorizing the contracting of public debt may provide that the public debt bear interest at variable or fixed rates, bear no interest or bear interest payable only at maturity or upon redemption prior to maturity. Unless sooner exercised and unless a shorter period is provided in such resolution, every authorizing resolution shall expire one year after the date of its adoption.

SECTION 116. 18.08 (3) of the statutes is amended to read:

18.08 (3) Moneys of the capital improvement fund may be commingled only for the purpose of investment with other public funds, but they shall be invested only as provided in s. 18.04 (6) or 25.17 (3) (b). All such investments shall be the exclusive property of the fund and all earnings on or income from such investments shall be credited to the fund and shall, subject to subs. (5) and (6), become available for any of the purposes under sub. (2). Before October 1, 1983, earnings from that portion created by self-amortizing projects may be transferred by resolution of the commission to the bond security and redemption fund to be used as provided in s. 18.09 (4).

SECTION 119. 18.09 (4) of the statutes is amended to read:

18.09 (4) Moneys of the bond security and redemption fund may be commingled only for the purpose of investment with other public funds, ~~but they shall and they may~~ be invested only as provided in s. 18.04 (6) or 25.17 (3) (dr). All such investments shall be the exclusive property of such fund and all earnings on or income from such investments plus any transfers from the capital improvement fund ~~pursuant to under~~ s. 18.08 (3), (5) or (6) shall be distributed to the respective sinking funds by the department of administration for use in meeting periodic principal and interest payments on bonds issued.

SECTION 121. 18.10 (10) of the statutes is amended to read:

18.10 (10) (title) DEBT RETIREMENT. Interest shall cease to accrue on public debt on the date that such debt becomes due for payment if said payment is made or duly provided for, ~~but such debt and the accrued interest thereon shall continue to be public debt until 6 years overdue for payment or, in the case of public debt owing to the United States, until 20 years overdue for payment. At~~ On that time, unless demand

~~for their payment has been made, they shall be extinguished and shall be deemed date, that public debt is no longer outstanding. If any holder of any public debt, including any interest pertaining to public debt and any premium, fails to present that public debt for payment, the unpaid unclaimed moneys provided for the payment of that public debt shall be administered under ch. 177.~~

SECTION 122m. 18.16 of the statutes is created to read:

18.16 Minority financial advisers and investment firms. (1) In this section, "minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

~~(2) In contracting public debt by competitive sale, the commission shall attempt to ensure that 5% of total public indebtedness contracted in each fiscal year is underwritten by minority investment firms.~~ **Vetoed in Part**

~~(3) In contracting public debt by negotiated sale, the commission shall attempt to ensure that 5% of total public indebtedness contracted in each fiscal year is underwritten by minority investment firms.~~

~~(4) In contracting public debt by competitive sale or negotiated sale, the commission shall attempt to ensure that 5% of the total moneys expended in each fiscal year for the services of financial advisers are expended for the services of minority financial advisers.~~

~~(5) The commission shall annually report to the department of administration the total amount of public indebtedness contracted with the underwriting services of minority investment firms and the total amount of moneys expended for the services of minority financial advisers during the preceding fiscal year.~~

SECTION 123. 18.54 (2) of the statutes is amended to read:

18.54 (2) The amount of evidences of revenue obligation issued or outstanding for purposes specified by the legislature under s. 18.53 (3) are subject only to the limits provided in the enacting legislation which authorizes that revenue obligation. No refunding obligation is subject to any limitation specified by that legislation.

SECTION 124g. 18.64 of the statutes is created to read:

18.64 Minority financial advisers and investment firms. (1) In this section, "minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

~~(2) In issuing evidences of revenue obligations by competitive sale, the commission shall attempt to ensure that 5% of the total of revenue obligations contracted in each fiscal year is underwritten by minority investment firms.~~ **Vetoed in Part**

~~(3) In issuing evidences of revenue obligations by negotiated sale, the commission shall attempt to~~

Vetoed
in Part

ensure that 5% of the total of revenue obligations contracted in each fiscal year is underwritten by minority investment firms.

(4) In issuing evidences of revenue obligations by competitive sale or negotiated sale, the commission shall attempt to ensure that 5% of the total moneys expended in such fiscal year for the services of financial advisers are expended for the services of minority financial advisers.

(5) The commission shall annually report to the department of administration the total amount of revenue obligations contracted with the underwriting services of minority investment firms and the total amount of moneys expended for the services of minority financial advisers during the preceding fiscal year.

SECTION 124r. 18.77 of the statutes is created to read:

18.77 Minority financial advisers and investment firms. (1) In this section, "minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

Vetoed
in Part

(2) In contracting operating notes by competitive sale, the commission shall attempt to ensure that 5% of total operating note indebtedness contracted in each fiscal year is underwritten by minority investment firms.

(3) In contracting operating notes by negotiated sale, the commission shall attempt to ensure that 5% of total operating note indebtedness contracted in each fiscal year is underwritten by minority investment firms.

(4) In contracting operating notes by competitive sale or negotiated sale, the commission shall attempt to ensure that 5% of the total moneys expended in such fiscal year for the services of financial advisers are expended for the services of minority financial advisers.

(5) The commission shall annually report to the department of administration the total amount of operating note indebtedness contracted with the underwriting services of minority investment firms and the total amount of moneys expended for the services of minority financial advisers during the preceding fiscal year.

Vetoed
in Part

SECTION 125g. 19.45 (9m) of the statutes is repealed.

SECTION 130. 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 beginning on July 1, 1987, and ending on June 30, 1989, is summarized as follows: [See Figure 20.005 (1) following]

SECTION 125f. 19.45 (10m) of the statutes is created to read:

19.45 (10m) Subsections (2) and (3) do not apply to compensation for service by a member of the legislature as a member of the faculty or academic staff of the university of Wisconsin system.

SECTION 125m. 19.82 (1) of the statutes is amended to read:

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 except for the Bradley center sports and entertainment corporation created under s. 232; any public purpose corporation, as defined in s. 181.79 (1); the farm congress; 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.

SECTION 128. 20.002 (3m) of the statutes is created to read:

20.002 (3m) REPEALED APPROPRIATIONS. Whenever an appropriation is repealed, on the effective date of the repeal the unencumbered balance of the appropriation lapses to the fund from which it was appropriated unless otherwise provided by law. If the act repealing an appropriation provides for any part of the balance in the appropriation account to be transferred to a different appropriation account on the same effective date as the repeal, the transfer shall be effected before the lapse.

SECTION 129. 20.003 (4) of the statutes is amended to read:

20.003 (4) REQUIRED GENERAL FUND BALANCE. ~~Beginning with the 1983-85 fiscal biennium, no~~ No bill directly or indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 ~~for the fiscal biennium of any fiscal year~~ as projected under s. 20.005 (1) to be an amount equal to less than one percent of the total general purpose revenue appropriations for that fiscal ~~biennium~~ year.

Vetoed
in Part

Vetoed
in Part

Figure: 20.005 (1)*

GENERAL FUND SUMMARY

	Estimated 1987-88	Estimated 1988-89
REVENUES		
Opening Balance, July 1	\$ 188,340,100	\$ 124,236,600
Estimated Taxes	5,170,254,000	5,414,299,700
Estimated Departmental Revenues	104,641,200	65,752,700
Total Available	\$ 5,463,235,300	\$ 5,604,289,000
APPROPRIATIONS		
Gross Appropriations	\$ 5,323,903,100	\$ 5,507,829,300
Compensation Reserves	33,749,800	60,141,100
Less Estimated Lapses	-18,654,200	-29,212,500
Net Appropriations and Reserves	\$ 5,338,998,700	\$ 5,538,757,900
BALANCES		
Gross Balance	\$ 124,236,600	\$ 65,531,100
Required Statutory Balance	-53,239,000	-55,078,300
Net Balance, June 30	\$ 70,997,600	\$ 10,452,800

SUMMARY OF APPROPRIATIONS - ALL FUNDS

	1987-88	1988-89
General Purpose Revenue	\$ 5,323,903,100	\$ 5,507,829,300
Federal Revenue	(2,222,392,200)	(2,274,961,100)
Program	1,997,576,800	2,040,608,400
Segregated	224,815,400	234,352,700
Program Revenue	(1,259,037,600)	(1,258,251,200)
State	1,084,192,800	1,085,060,100
Service	174,844,800	173,191,100
Segregated Revenue	(1,040,402,900)	(1,064,267,300)
State	1,007,716,600	1,031,307,400
Local	21,953,800	22,194,300
Service	10,732,500	10,765,600
GRAND TOTAL	\$ 9,845,735,800	\$10,105,308,900

* General fund revenues, appropriations and balances *do not reflect* the impact of the Governor's partial vetoes.

SECTION 131m. 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, 1987-89 FISCAL BIENNIUM		1987-89 BIENNIUM
SOURCE AND PURPOSE		
	<i>General obligations</i>	
Building commission		
Other public purposes		\$ 79,793,000
Capital equipment acquisition		-20,000,000
Refunding corporation debt -		
Self-amortizing		-10,962,000
Tax supported		-48,479,700
Refunding tax supported general obligation debt		450,000,000
Refunding self-amortizing general obligation debt		70,000,000
Educational communications board		2,084,000
Health and social services		
Mental health facilities		1,844,000
Correctional facilities		2,466,000
Historical society		770,000
Military affairs		1,458,000
Natural resources		
Pollution abatement and sewage collection facilities; point source		63,300,000
Pollution abatement and sewage collection facilities; combined sewer overflow		7,000,000
Recreation development		2,162,500
Land acquisition		10,750,000
Land acquisition--Wisconsin heritage program		1,000,000
Public instruction		1,178,000
University of Wisconsin		
Academic facilities		92,894,000
Self-amortizing facilities		27,711,500
Veterans affairs		388,000

TOTAL General Obligation Bonds		\$735,357,300
	<i>State-issued revenue obligations</i>	
Transportation		\$ 90,400,000

TOTAL State-issued Revenue Obligation Bonds		\$ 90,400,000
GRAND TOTAL Bonding Authority Modifications		\$825,757,300

Figure: 20.005 (2) (b) *

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE		FISCAL YEARS 1987-88 AND 1988-89	
STATUTE, AGENCY AND PURPOSE	SOURCE	1987-88	1988-89
<i>20.225 Educational communications board</i>			
(1) (c) Educational communications facilities	GPR \$	251,100 \$	242,100
<i>20.245 Historical society</i>			
(2) (e) Historic sites	GPR	186,900	176,600
(4) (e) Administrative facilities	GPR	-0-	-0-
(5) (e) Museum facility	GPR	314,900	303,000
<i>20.250 Medical college of Wisconsin</i>			
(1) (e) Medical college of Wisconsin	GPR	595,300	574,300
<i>20.255 Public instruction, department of</i>			
(1) (d) Schools of deaf and visually handicapped	GPR	775,700	746,900
<i>20.285 University of Wisconsin system</i>			
(1) (d) University academic facilities	GPR	53,819,500	56,252,600
(1) (da) University academic facilities, building corp.	GPR	5,113,800	5,113,800
<i>20.370 Natural resources, department of</i>			
(1) (kc) Resource acquisition and development	GPR	6,784,800	6,807,800 Vetoed in Part
(1) (kd) Olympic ice rink, building corp.	GPR	35,400	35,400
(4) (jb) Recreational boating	GPR	146,600	140,600
(4) (jc) Point source pollution abatement	GPR	67,746,100	72,507,600 Vetoed in Part
(4) (jd) Combined sewer overflow facilities	GPR	7,404,300	11,588,500 Vetoed in Part
(8) (Lb) Administrative facilities	GPR	413,100	397,000
<i>20.435 Health and social services, department of</i>			
(2) (ee) Mental health facilities	GPR	4,879,900	4,712,500
(2) (ef) Mental health facilities, building corp.	GPR	503,000	503,000
(3) (e) Correctional facilities	GPR	15,308,600	16,530,000 Vetoed in Part
(3) (ec) Prison industries	GPR	-0-	-0-
(3) (ef) Correctional facilities, building corp.	GPR	114,000	114,000
(5) (e) Workshop for the blind	GPR	26,200	22,300
<i>20.455 Justice, department of</i>			
(2) (cm) State crime laboratory	GPR	329,700	319,300
<i>20.465 Military affairs, department of</i>			
(1) (d) National guard facilities	GPR	428,200	407,100
<i>20.485 Veterans affairs, department of</i>			
(1) (e) Veterans home, building corp.	GPR	22,200	22,200
(1) (f) Veterans home	GPR	434,500	415,300

* The total of general purpose debt service and the grand total of all debt service *does not reflect* the impact of the Governor's vetoes of the 2nd year appropriations under ss. 20.370 (1) (kc) and (4) (jc) and (jd), 20.435 (3) (e) and 20.867 (3) (a).

<i>20.867 Building commission</i>				
(1)	(b) Capitol and executive residence	GPR	1,073,200	1,035,600
(3)	(a) Unallocated debt service	GPR	356,700	3,750,000
(3)	(b) Other public purposes	GPR	470,900	454,400
			-----	-----
TOTAL General Purpose Revenue Debt Service			\$167,534,600	\$182,871,900
<i>20.115 Agriculture, trade and consumer protection, department of</i>				
(5)	(j) State fair park	PR	\$ 646,600	\$ 637,500
<i>20.245 Historical Society</i>				
(2)	(j) Self-amortizing facilities	PR	-0-	-0-
<i>20.285 University of Wisconsin system</i>				
(1)	(gb) University self-amortizing facilities	PR	6,134,800	6,535,800
(1)	(gc) University self-amortizing facilities, building corp.	PR	2,345,400	2,345,400
<i>20.435 Health and social services, department of</i>				
(3)	(ko) Prison industries equipment, self-amortizing	PR	179,400	176,100
<i>20.505 Administration, department of</i>				
(5)	(kb) State office buildings, building corp.	PR	137,000	137,000
(5)	(kc) State office buildings	PR	6,403,800	6,146,400
<i>20.867 Building Commission</i>				
(3)	(g) Unallocated debt service	PR	-0-	-0-
(3)	(i) Capital equipment	PR	2,508,600	2,357,400
			-----	-----
TOTAL Program Revenue Debt Service			\$ 18,355,600	\$ 18,335,600
<i>20.370 Natural resources, department of</i>				
(8)	(ls) Administrative facilities	SEG	\$ 425,500	\$ 405,700
<i>20.395 Transportation, department of</i>				
(6)	(aq) Highways program	SEG	22,909,000	22,498,900
(6)	(ar) Administrative facilities	SEG	903,300	871,000
<i>20.485 Veterans affairs, department of</i>				
(3)	(t) Veterans home mortgage loans	SEG	129,816,700	129,414,300
			-----	-----
TOTAL Segregated Revenue Debt Service			\$154,054,500	\$153,189,900
GRAND TOTAL All Debt Service			\$339,944,700	\$354,397,400

SECTION 132. 20.005 (3) of the statutes is repealed and recreated to read:

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

Figure: 20.005 (3)*

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
Commerce				
20.115 Agriculture, trade and consumer protection, department of				
(1) FOOD AND TRADE REGULATION				
(a) General program operations	GPR	A	-0-	-0-
Food inspection	GPR	A	1,860,400	2,114,700
Plant industry services	GPR	A	531,900	1,079,900
Trade and consumer protection	GPR	A	1,536,600	1,542,700
General laboratory services	GPR	A	1,013,200	-0-
NET APPROPRIATION			4,942,100	4,737,300
(b) Meat and poultry inspection	GPR	A	1,780,000	1,780,000
(c) Warehouse keeper and grain dealer regulation	GPR	A	171,600	171,600
(d) Groundwater laboratory services	GPR	A	148,400	148,400
(g) Related services	PR	A	112,800	112,800
(ga) Milk standards program	PR	C	136,900	136,900
(gb) Food regulation	PR	A	1,860,400	2,108,100
(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 regulation	PR	A	441,400	468,400
(im) Unfair sales act enforcement	PR	A	65,000	65,000
(j) Weights and measures inspection	PR	A	214,100	154,100
(jm) Warehouse keeper and grain dealer regulation	PR	C	56,800	56,800
(k) Dairy trade regulation	PR	A	156,300	156,300
(m) Federal funds	PR-F	C	2,265,800	2,265,800
(q) Automobile repair regulation	SEG	A	217,200	217,200
(s) Groundwater--standards; implementation	SEG	A	191,500	224,300
(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			7,042,100	6,837,300
PROGRAM REVENUE			5,485,700	5,700,400
FEDERAL	(		2,265,800)	(2,265,800)
OTHER	(		3,219,900)	(3,434,600)
SEGREGATED FUNDS			408,700	441,500
OTHER	(		408,700)	(441,500)
TOTAL-ALL SOURCES			12,936,500	12,979,200

* The program totals, department totals and functional area totals *do not reflect* the impact of the Governor's partial vetoes.

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(2) ANIMAL AND PLANT HEALTH SERVICES				
(a) General program operations	GPR	A	-0-	-0-
Animal health services	GPR	A	2,670,100	2,689,900
Plant health services	GPR	A	694,100	694,100
NET APPROPRIATION			3,364,200	3,384,000
(b) Animal disease indemnities	GPR	S	105,000	105,000
(c) Pseudorabies control program; administration	GPR	A	132,000	132,000
(g) Related services	PR	A	934,400	934,400
(gm) Seed testing and labeling	PR	C	23,900	23,900
(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	102,700	102,700
(m) Federal funds	PR-F	C	134,600	134,600
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,601,200	3,621,000
PROGRAM REVENUE			1,241,600	1,241,600
FEDERAL	(		134,600)	(134,600)
OTHER	(		1,107,000)	(1,107,000)
TOTAL-ALL SOURCES			4,842,800	4,862,600
(3) MARKETING SERVICES				
(a) General program operations	GPR	A	-0-	-0-
Agricultural services	GPR	A	1,182,900	1,182,900
Management information services	GPR	A	740,000	740,200
NET APPROPRIATION			1,922,900	1,923,100
(g) Related services	PR	A	878,200	878,200
(h) Grain regulation--Milwaukee	PR	A	800,400	800,400
(i) Marketing orders and agreements	PR	C	24,100	24,100
(j) Grain regulation--Superior	PR	A	2,832,100	2,832,100
(k) Potato board; assessments	PR	A	357,500	357,500
(m) Federal funds	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,922,900	1,929,100
PROGRAM REVENUE			4,892,300	4,892,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		4,892,300)	(4,892,300)
TOTAL-ALL SOURCES			6,815,200	6,821,400
(4) AGRICULTURAL ASSISTANCE				
(a) Aid to Wisconsin livestock breeders association	GPR	A	27,200	27,200
(b) Aids to county and district fairs	GPR	A	368,500	368,500
(e) Premium aids to world dairy expo, inc.	GPR	A	53,300	53,300
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			449,000	449,000
TOTAL-ALL SOURCES			449,000	449,000
(5) STATE FAIR PARK				
(h) State fair operations	PR	A	6,854,000	6,854,000

Vetoed
in Part

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(i) State fair capital expenses	PR	C	224,000	224,000
(j) State fair principal repayment and interest	PR	S	646,600	637,500
(5) PROGRAM TOTALS				
PROGRAM REVENUE			7,724,600	7,715,500
OTHER	(		7,724,600) (	7,715,500)
TOTAL-ALL SOURCES			7,724,600	7,715,500
(7) LAND CONSERVATION AND FARMLAND PRESERVATION				
(a) General program operations	GPR	A	647,300	647,300
(c) Soil and water resource management program	GPR	C	2,304,500	2,304,500
(g) Agricultural impact statements	PR	C	69,500	69,500
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,951,800	2,951,800
PROGRAM REVENUE			69,500	69,500
OTHER	(		69,500) (	69,500)
SERVICE	(		-0-) (	-0-)
TOTAL-ALL SOURCES			3,021,300	3,021,300
(8) CENTRAL ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,592,800	1,061,000
(b) Emergency loan processing	GPR	A	-0-	-0-
(g) Gifts and grants	PR	C	11,500	11,500
(h) Sale of supplies	PR	A	42,300	42,300
(i) General program operations	PR	A	-0-	474,800
(j) Stray voltage program	PR	A	104,800	84,000
(k) Central auto pool	PR-S	C	178,400	178,400
(km) General laboratory services	PR-S	A	-0-	1,421,800
(pz) Indirect cost reimbursements	PR-F	C	187,500	187,500
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,592,800	1,061,000
PROGRAM REVENUE			524,500	2,400,300
FEDERAL	(		187,500) (	187,500)
OTHER	(		158,600) (	612,600)
SERVICE	(		178,400) (	1,600,200)
TOTAL-ALL SOURCES			2,117,300	3,461,300
(9) FARM MEDIATION AND ARBITRATION PROGRAM				
(a) General program operations	GPR	A	170,900	170,900
(9) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			170,900	170,900
TOTAL-ALL SOURCES			170,900	170,900
20.115 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			17,730,700	17,020,100
PROGRAM REVENUE			19,938,200	22,019,600
FEDERAL	(		2,587,900) (	2,587,900)
OTHER	(		17,171,900) (	17,831,500)
SERVICE	(		178,400) (	1,600,200)
SEGREGATED FUNDS			408,700	441,500
OTHER	(		408,700) (	441,500)
TOTAL-ALL SOURCES			38,077,600	39,481,200

Vetoed in Part

20.124 Banking, office of the commissioner of

(1) SUPERVISION OF BANKS AND RELATED FINANCIAL INSTITUTIONS

(a) Losses on public deposits	GPR	S	-0-	-0-
(g) General program operations	PR	A	3,564,900	3,529,100
(u) State deposit fund	SEG	S	-0-	-0-
20.124 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
PROGRAM REVENUE			3,564,900	3,529,100
OTHER	(		3,564,900)	(3,529,100)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			3,564,900	3,529,100

20.141 Credit unions, office of the commissioner of

(1) SUPERVISION OF CREDIT UNIONS

(g) General program operations	PR	A	1,020,700	1,020,700
20.141 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,020,700	1,020,700
OTHER	(		1,020,700)	(1,020,700)
TOTAL-ALL SOURCES			1,020,700	1,020,700

20.143 Development, department of

(1) ECONOMIC AND COMMUNITY DEVELOPMENT

(a) General program operations	GPR	A	2,801,500	2,755,500	Vetoed in Part
(am) Development zone grants	GPR	A	50,000	50,000	
(b) Economic development promotion	GPR	A	127,000	127,000	
(bm) Aid to Forward Wisconsin, inc.	GPR	A	500,000	500,000	
(c) Wisconsin development fund; grants and loans	GPR	B	5,014,000	1,014,000	
(d) Wisconsin development fund; major grants and loans	GPR	B	-0-	14,900,000	
(dm) Grants to regional planning commissions	GPR	B	100,000	-0-	
(f) Employe ownership assistance loans	GPR	B	50,000	50,000	
(g) Gifts, grants and proceeds	PR	C	20,100	20,100	
(h) Economic development operations	PR	A	30,600	30,600	
(i) Plat review	PR	A	120,600	120,600	
(ie) Wisconsin development fund, repayments	PR	C	-0-	-0-	
(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	400,000	400,000	
(n) Federal aid, local assistance	PR-F	C	19,810,000	19,810,000	
(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-	
(x) Industrial building construction loan fund	SEG	C	-0-	-0-	

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			8,642,500	19,396,500
PROGRAM REVENUE			20,381,300	20,381,300
FEDERAL	(		20,210,000)	(20,210,000)
OTHER	(		171,300)	(171,300)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			29,023,800	39,777,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(2) TOURISM DEVELOPMENT AND PROMOTION				
(a) General program operations	GPR	A	1,167,600	1,166,100
(b) Tourism marketing	GPR	A	5,000,000	5,000,000
(c) Film promotion	GPR	A	150,000	150,000
(g) Gifts, grants and proceeds	PR	C	5,000	5,000
(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) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			6,317,600	6,316,100
PROGRAM REVENUE			5,000	5,000
FEDERAL	(		-0-)	(-0-)
OTHER	(		5,000)	(5,000)
SERVICE	(		-0-)	(-0-)
TOTAL-ALL SOURCES			6,322,600	6,321,100
(3) HOUSING ASSISTANCE				
(w) Housing project revenue obligation repayment	SEG	C	-0-	-0-
(3) P R O G R A M			T O T A L S	
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,779,800	1,779,800
(g) Gifts, grants and proceeds	PR	C	5,000	5,000
(k) Sale of materials or services	PR-S	C	33,100	33,100
(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	70,900	70,900
(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	302,600	302,600
(4) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			1,779,800	1,779,800
PROGRAM REVENUE			411,600	411,600
FEDERAL	(		373,500)	(373,500)
OTHER	(		5,000)	(5,000)
SERVICE	(		33,100)	(33,100)
TOTAL-ALL SOURCES			2,191,400	2,191,400
2 0 . 1 4 3 D E P A R T M E N T				
T O T A L S				
GENERAL PURPOSE REVENUES			16,739,900	27,492,400
PROGRAM REVENUE			20,797,900	20,797,900
FEDERAL	(		20,583,500)	(20,583,500)
OTHER	(		181,300)	(181,300)
SERVICE	(		33,100)	(33,100)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			37,537,800	48,290,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
20.145 Insurance, office of the commissioner of				
(1) SUPERVISION OF THE INSURANCE INDUSTRY				
(g) General program operations	PR	A	4,360,800	4,268,300
(gm) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM		TOTALS	
PROGRAM REVENUE			4,360,800	4,268,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		4,360,800)	(4,268,300)
TOTAL-ALL SOURCES			4,360,800	4,268,300
(2) PATIENTS COMPENSATION FUND				
(u) Administration	SEG	A	316,200	316,200
(um) Peer review council	SEG	A	48,500	48,500
(v) Operations and benefits	SEG	C	18,350,000	18,350,000
	(2) PROGRAM		TOTALS	
SEGREGATED FUNDS			18,714,700	18,714,700
OTHER	(		18,714,700)	(18,714,700)
TOTAL-ALL SOURCES			18,714,700	18,714,700
(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
(u) Administration	SEG	A	173,000	173,000
(v) Operations and benefits	SEG	C	6,038,400	6,038,400
	(3) PROGRAM		TOTALS	
SEGREGATED FUNDS			6,211,400	6,211,400
OTHER	(		6,211,400)	(6,211,400)
TOTAL-ALL SOURCES			6,211,400	6,211,400
(4) STATE LIFE INSURANCE FUND				
(u) Administration	SEG	A	251,500	251,500
(v) Operations and benefits	SEG	C	1,415,000	1,425,000
	(4) PROGRAM		TOTALS	
SEGREGATED FUNDS			1,666,500	1,676,500
OTHER	(		1,666,500)	(1,676,500)
TOTAL-ALL SOURCES			1,666,500	1,676,500
(7) HEALTH INSURANCE RISK SHARING PLAN ADMINISTRATION				
(a) Premium reduction subsidy	GPR	B	380,500	411,800
(b) Assessment reduction	GPR	A	193,000	465,500
(u) Administration	SEG	C	194,500	194,500
	(7) PROGRAM		TOTALS	
GENERAL PURPOSE REVENUES			573,500	877,100
SEGREGATED FUNDS			194,500	194,500
OTHER	(		194,500)	(194,500)
TOTAL-ALL SOURCES			768,000	1,071,600
20.145 DEPARTMENT			TOTALS	
GENERAL PURPOSE REVENUES			573,500	877,100
PROGRAM REVENUE			4,360,800	4,268,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		4,360,800)	(4,268,300)
SEGREGATED FUNDS			26,787,100	26,797,100
OTHER	(		26,787,100)	(26,797,100)
TOTAL-ALL SOURCES			31,721,400	31,942,500
20.155 Public service commission				
(1) REGULATION OF PUBLIC UTILITIES				
(g) Utility regulation	PR	A	7,267,100	7,204,000
(h) Holding company regulation	PR	C	302,900	302,900
(j) Intervenor financing	PR	A	200,000	200,000
(m) Federal funds	PR-F	C	97,000	97,000
20.155 DEPARTMENT			TOTALS	
PROGRAM REVENUE			7,867,000	7,803,900
FEDERAL	(97,000)	(97,000)
OTHER	(7,770,000)	(7,706,900)

Vetoed in Part
Vetoed in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
TOTAL-ALL SOURCES			7,867,000	7,803,900
20.165 Regulation and licensing, department of				
(1) PROFESSIONAL REGULATION				
(g) General program operations	PR	A	5,091,400	5,056,200
(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 DEPARTMENT TOTALS				
PROGRAM REVENUE			5,091,400	5,056,200
FEDERAL	(		-0-)	(-0-)
OTHER	(		5,091,400)	(5,056,200)
SERVICE	(		-0-)	(-0-)
TOTAL-ALL SOURCES			5,091,400	5,056,200
20.175 Savings and loan, office of the commissioner of				
(1) SUPERVISION OF SAVINGS AND LOAN ASSOCIATIONS				
(g) General program operations	PR	A	880,900	890,500
20.175 DEPARTMENT TOTALS				
PROGRAM REVENUE			880,900	890,500
OTHER	(		880,900)	(890,500)
TOTAL-ALL SOURCES			880,900	890,500
20.185 Securities, office of the commissioner of				
(1) SECURITIES, CORPORATE TAKE-OVER AND FRANCHISE INVESTMENT REGULATION				
(g) General program operations	PR	A	1,320,700	1,306,000
20.185 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,320,700	1,306,000
OTHER	(		1,320,700)	(1,306,000)
TOTAL-ALL SOURCES			1,320,700	1,306,000
Commerce				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			35,044,100	45,389,600
PROGRAM REVENUE			64,842,500	66,692,200
FEDERAL	(		23,268,400)	(23,268,400)
OTHER	(		41,362,600)	(41,790,500)
SERVICE	(		211,500)	(1,633,300)
SEGREGATED FUNDS			27,195,800	27,238,600
FEDERAL	(		-0-)	(-0-)
OTHER	(		27,195,800)	(27,238,600)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			127,082,400	139,320,400

Education

20.215 Arts board

(1) SUPPORT OF ARTS PROJECTS				
(a) General program operations	GPR	A	291,100	291,100
(b) State aid for the arts	GPR	A	779,300	779,300
(c) Portraits of governors	GPR	A	5,800	5,800
(d) Challenge grant program	GPR	A	750,000	750,000
(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-
(ka) Percent-for-art				

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
administration	PR-S	A	35,200	35,200
(m) Federal grants; state operations	PR-F	C	179,900	179,900
(o) Federal grants; aids to individuals and organizations	PR-F	C	279,100	279,100
20.215 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,826,200	1,826,200
PROGRAM REVENUE			496,700	496,700
FEDERAL	(		459,000)	(459,000)
OTHER	(		2,500)	(2,500)
SERVICE	(		35,200)	(35,200)
TOTAL-ALL SOURCES			2,322,900	2,322,900

20.225 Educational communications board

(1) INSTRUCTIONAL TECHNOLOGY

(a) General program operations	GPR	A	2,982,300	2,865,300	Vetoed in Part
(b) Utilities and heating	GPR	A	478,800	485,000	Vetoed in Part
(c) Principal repayment and interest	GPR	S	251,100	242,100	
(d) Milwaukee area technical college	GPR	A	238,000	230,000	Vetoed in Part
(f) Programming	GPR	A	1,683,000	1,683,000	
(g) Gifts, grants and leases	PR	C	3,861,700	3,861,700	
(h) Instructional material	PR	A	158,500	158,500	
(m) Federal grants	PR-F	C	313,800	313,800	
20.225 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			5,633,200	5,505,400	
PROGRAM REVENUE			4,334,000	4,334,000	
FEDERAL	(		313,800)	(313,800)	
OTHER	(		4,020,200)	(4,020,200)	
TOTAL-ALL SOURCES			9,967,200	9,839,400	

20.235 Higher educational aids board

(1) STUDENT SUPPORT ACTIVITIES

(b) Tuition grants	GPR	A	12,154,400	12,154,400	
(c) Loan forgiveness for critical manpower occupations	GPR	S	25,000	25,000	
(d) Dental education contract	GPR	A	877,100	661,600	
(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	-0-	-0-	
(fb) Indian student assistance	GPR	A	1,097,300	1,097,300	
(fe) Wisconsin higher education grants	GPR	A	19,361,300	19,534,900	Vetoed in Part
(fg) Minority undergraduate retention grants program; private	GPR	A	382,500	382,500	
(fh) Minority undergraduate retention grants program; vocational	GPR	A	175,000	175,000	Vetoed in Part
(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	1,515,900	1,515,900	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			34,072,600	34,020,700	
PROGRAM REVENUE			1,515,900	1,515,900	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89	
FEDERAL	(1,515,900)	(1,515,900)
OTHER	(		-0-)	(	-0-)
TOTAL-ALL SOURCES			35,588,500		35,536,600
(2) ADMINISTRATION					Vetoed in Part
(aa) General program operations	GPR	A	637,500	637,500	
(ba) Student loan interest	GPR	S	175,000	175,000	
(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	140,000	140,000	
(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	2,133,400	1,099,700	
(ja) Write-off of defaulted student loans	PR	A	-0-	-0-	
(ma) Federal interest payments	PR-F	C	5,000	5,000	
(mb) Federal interest payments, loans sold or conveyed	PR-F	C	-0-	-0-	
(n) Federal aid; state operations	PR-F	C	1,097,500	649,700	
(qa) Student loan revenue obligation repayment	SEG	C	-0-	-0-	
(qb) Wisconsin health education loan revenue obligation repayment	SEG	C	210,100	210,100	
(2) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			812,500	824,700	
PROGRAM REVENUE			3,375,900	1,894,400	
FEDERAL	(		1,102,500)	(	654,700)
OTHER	(		2,273,400)	(	1,239,700)
SEGREGATED FUNDS			210,100	210,100	
OTHER	(		210,100)	(	210,100)
TOTAL-ALL SOURCES			4,398,500	2,929,200	
2 0 . 2 3 5 D E P A R T M E N T T O T A L S					
GENERAL PURPOSE REVENUES			34,885,100	34,845,400	
PROGRAM REVENUE			4,891,800	3,410,300	
FEDERAL	(		2,618,400)	(	2,170,600)
OTHER	(		2,273,400)	(	1,239,700)
SEGREGATED FUNDS			210,100	210,100	
OTHER	(		210,100)	(	210,100)
TOTAL-ALL SOURCES			39,987,000	38,465,800	

20.245 Historical society

(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES

(a) General program operations, archives and research services	GPR	A	833,800	833,800	Vetoed in Part
(am) General program operations; library services	GPR	A	1,191,800	1,191,800	
(b) Distribution of the history of Wisconsin	GPR	C	-0-	-0-	
(g) Admissions, sales and other receipts	PR	A	271,600	273,900	
(h) Gifts and grants	PR	C	33,400	33,400	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	184,300	184,300
(r) Endowment	SEG	C	42,300	42,800
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			2,025,600	2,035,200
PROGRAM REVENUE			489,300	491,600
FEDERAL	(		184,300)	(184,300)
OTHER	(		305,000)	(307,300)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			42,300	42,800
OTHER	(		42,300)	(42,800)
TOTAL-ALL SOURCES			2,557,200	2,569,600
(2) HISTORIC SITES				
(a) General program operations	GPR	A	169,600	169,600
(bd) Stonefield Village	GPR	A	68,300	68,300
(be) Pendarvis	GPR	A	65,000	65,000
(bf) Villa Louis	GPR	A	57,500	57,500
(bg) Old Wade House	GPR	A	60,200	60,200
(bh) Madeline Island	GPR	A	-0-	-0-
(bi) Old World Wisconsin	GPR	A	341,000	341,000
(c) Utilities and heat	GPR	A	67,800	67,800
(e) Principal repayment and interest	GPR	S	186,900	176,600
(g) Admissions, sales and other receipts	PR	C	1,247,100	1,247,100
(h) Gifts and grants	PR	C	25,000	25,000
(j) Self-amortizing facilities; principal repayment and interest	PR	S	-0-	-0-
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	-0-	-0-
(r) Endowment	SEG	C	11,400	11,400
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,016,300	1,006,000
PROGRAM REVENUE			1,272,100	1,272,100
FEDERAL	(		-0-)	(-0-)
OTHER	(		1,272,100)	(1,272,100)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			11,400	11,400
OTHER	(		11,400)	(11,400)
TOTAL-ALL SOURCES			2,299,800	2,289,500
(3) HISTORIC PRESERVATION				
(a) General program operations	GPR	A	207,800	207,800
(g) Admissions, sales and other receipts	PR	A	5,000	5,000
(h) Gifts and grants	PR	C	1,000	1,000
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	406,300	406,300
(n) Federal aids	PR-F	C	-0-	-0-
(r) Endowment	SEG	C	-0-	-0-
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			207,800	207,800
PROGRAM REVENUE			412,300	412,300

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
FEDERAL	(406,300)	(406,300)
OTHER	(		6,000)	(6,000)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			620,100	620,100
(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	1,141,600	1,141,600
(c) Utilities and heat	GPR	A	133,300	133,300
(e) Principal repayment and interest	GPR	S	-0-	-0-
(g) Admissions, sales and other receipts	PR	A	172,400	172,400
(h) Gifts and grants	PR	C	33,600	33,600
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	47,200	47,200
(q) Endowment principal	SEG	C	-0-	-0-
(r) Endowment	SEG	C	31,800	31,800
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,274,900	1,274,900
PROGRAM REVENUE			253,200	253,200
FEDERAL	(		47,200)	(47,200)
OTHER	(		206,000)	(206,000)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			31,800	31,800
OTHER	(		31,800)	(31,800)
TOTAL-ALL SOURCES			1,559,900	1,559,900
(5) MUSEUM				
(a) General program operations	GPR	A	628,100	569,100
(c) Utilities and heat	GPR	A	35,000	35,000 Vetoed in Part
(e) Principal repayment and interest	GPR	S	314,900	303,000
(g) Admissions, sales and other receipts	PR	C	57,400	57,400
(h) Gifts and grants	PR	C	11,600	11,600
(k) Funds received from other state agencies	PR-S	C	117,000	117,000
(m) General program operations, federal funds	PR-F	C	15,300	15,300
(r) Endowment	SEG	C	1,600	1,600
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			978,000	910,500
PROGRAM REVENUE			201,300	201,300
FEDERAL	(		15,300)	(15,300)
OTHER	(		69,000)	(69,000)
SERVICE	(		117,000)	(117,000)
SEGREGATED FUNDS			1,600	1,600
OTHER	(		1,600)	(1,600)
TOTAL-ALL SOURCES			1,180,900	1,113,400
(6) BURIAL SITE PRESERVATION				
(a) General program operations	GPR	A	93,500	93,500
(g) Burial sites excavation fees	PR	C	-0-	-0-
(6) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			93,500	93,500
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			93,500	93,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
2 0 . 2 4 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			5,596,100	5,527,900
PROGRAM REVENUE			2,628,200	2,630,500
FEDERAL	(		653,100)	653,100)
OTHER	(		1,858,100)	1,860,400)
SERVICE	(		117,000)	117,000)
SEGREGATED FUNDS			87,100	87,600
OTHER	(		87,100)	87,600)
TOTAL-ALL SOURCES			8,311,400	8,246,000

20.250 Medical college of Wisconsin

(1) TRAINING OF HEALTH MANPOWER

(a) General program operations	GPR	A	4,107,300	4,107,300
(b) Family medicine and practice	GPR	A	1,087,400	1,087,400
(e) Principal repayment and interest	GPR	S	595,300	574,300

2 0 . 2 5 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			5,790,000	5,769,000
TOTAL-ALL SOURCES			5,790,000	5,769,000

20.255 Public instruction, department of

(1) EDUCATIONAL LEADERSHIP

(a) General program operations	GPR	A	11,402,900	11,402,900	Vetoed in Part
(b) General program operations; residential schools	GPR	A	7,556,100	7,556,100	
(c) Utilities and heating	GPR	A	330,700	330,700	Vetoed in Part
(cw) Alternative school American Indian language and culture education aid	GPR	A	35,800	35,800	
(d) Debt service	GPR	S	775,700	746,900	
(e) Aid to public library systems	GPR	A	8,354,500	8,354,500	Vetoed in Part
(fg) Special Olympics	GPR	A	75,000	75,000	
(fm) Human growth and development grants	GPR	A	200,000	200,000	
(fw) Wisconsin educational opportunity program	GPR	A	673,000	673,000	
(fz) Minority group pupil scholarships	GPR	A	232,700	232,700	
(g) Student activity therapy	PR	A	9,200	9,200	
(gt) Residential schools; pupil transportation	PR	A	419,200	419,200	
(hf) Administrative leadership academy	PR	A	31,700	42,300	
(hg) Personnel cert., teacher supply, information & analysis & teacher improvement	PR	A	908,800	928,600	
(hm) Services for drivers	PR	A	225,000	225,000	
(hr) Alcohol and other drug abuse program	PR	C	384,600	493,800	
(i) Publications	PR	A	263,400	263,400	
(jg) School lunch handling charges	PR	A	1,598,200	1,598,200	
(jm) Professional services center charges	PR	A	28,500	28,500	
(jr) Gifts, grants and trust funds	PR	C	159,500	159,500	
(js) State-owned housing maintenance	PR	A	-0-	-0-	
(jz) School district boundary appeal proceedings	PR	C	6,900	6,900	
(ke) Funds transferred from other state agencies; program					

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
operations	PR-S	C	3,257,600	3,257,600
(kk) Funds transferred from other state agencies; aids to ind. and organizations	PR-S	C	870,000	870,000
(km) State agency library processing center	PR-S	A	66,500	66,500
(ks) Data processing	PR-S	C	1,408,400	1,408,400
(L) Gifts, grants and trust funds; aids to individuals and organizations	PR	C	1,000	1,000
(me) Federal aids; program operations	PR-F	C	7,680,400	7,680,400
(mm) Federal funds; local assistance	PR-F	C	1,417,500	1,417,500
(ms) Federal funds; individuals and organizations	PR-F	C	11,135,800	11,135,800
(pz) Indirect cost reimbursements	PR-F	C	6,000	6,000
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			29,636,400	29,945,700
PROGRAM REVENUE			29,878,200	30,017,800
FEDERAL	(		20,239,700)	(20,239,700)
OTHER	(		4,036,000)	(4,175,600)
SERVICE	(		5,602,500)	(5,602,500)
TOTAL-ALL SOURCES			59,514,600	59,963,500
(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
(ac) General equalization aids	GPR	A	1,223,783,600	1,227,210,600
(an) Supplemental state aid	GPR	A	21,777,500	21,064,200
(b) Aids for handicapped education	GPR	A	187,853,200	198,664,400
(cc) Bilingual-bicultural education aids	GPR	A	4,842,400	5,756,300
(cg) Tuition payments	GPR	A	4,402,100	3,951,600
(cn) Aids for school lunches and elderly nutrition	GPR	A	4,388,100	4,395,300
(cp) Wisconsin morning milk program	GPR	A	-0-	820,000
(cr) Aid for pupil transportation	GPR	A	17,712,400	17,716,900
(d) Youth initiatives program	GPR	A	500,000	500,000
(do) Grants for preschool to grade 5 programs	GPR	A	3,110,000	3,110,000
(e) Vocational education instructor occupational competency program	GPR	A	18,000	18,000
(em) Education for employment	GPR	A	300,000	150,000
(fe) Site-based management program	GPR	E	395,000	0
(fg) Aid for cooperative educational service agencies	GPR	A	457,200	457,200
(fp) Teaching incentive program demonstration projects	GPR	A	214,000	-0-
(fs) Aid for suicide prevention programs	GPR	A	36,000	36,000
(g) Aid for alcohol and other drug abuse programs	PR	C	635,600	774,300
(k) Funds transferred from other state agencies; local aids	PR-S	C	6,576,200	6,576,200
(m) Federal aids; local aid	PR-F	C	113,654,000	113,654,000
(r) Driver education; local assistance	SEG	A	2,901,100	2,646,700
(rn) Pupil passenger safety	SEG	A	100,000	0

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(s) School library aids	SEG	C	11,298,000	12,768,900
(t) School aids from the badger fund	SEG	C	-0-	-0-
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,469,789,500	1,555,268,500
PROGRAM REVENUE			120,865,800	121,004,500
FEDERAL	(		113,654,000)	(113,654,000)
OTHER	(		635,600)	(774,300)
SERVICE	(		6,576,200)	(6,576,200)
SEGREGATED FUNDS			14,299,100	15,415,600
OTHER	(		14,299,100)	(15,415,600)
TOTAL-ALL SOURCES			1,604,954,400	1,691,688,600
2 0 . 2 5 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,499,425,900	1,585,214,200
PROGRAM REVENUE			150,744,000	151,022,300
FEDERAL	(		133,893,700)	(133,893,700)
OTHER	(		4,671,600)	(4,949,900)
SERVICE	(		12,178,700)	(12,178,700)
SEGREGATED FUNDS			14,299,100	15,415,600
OTHER	(		14,299,100)	(15,415,600)
TOTAL-ALL SOURCES			1,664,469,000	1,751,652,100

20.285 University of Wisconsin system

(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE

(a) General program operations	GPR	A	494,975,900	500,922,300
(ab) Student aid	GPR	A	833,300	833,300
(am) Distinguished professorships	GPR	A	250,000	250,000
(as) Industrial and economic development research	GPR	A	800,000	800,000
(b) Advanced opportunity program	GPR	A	2,499,500	2,499,500
(c) Utilities and heating	GPR	A	36,516,200	37,170,400
(cm) Doctoral student loans	GPR	C	-0-	183,400
(d) Principal repayment and interest	GPR	S	53,819,500	56,252,600
(da) Lease rental payments	GPR	S	5,113,800	5,113,800
(db) Self-amortizing facilities principal and interest	GPR	S	-0-	-0-
(dc) Minority teacher loans	GPR	A	-0-	100,000
(dd) Ben R. Lawton minority undergraduate retention grant program	GPR	A	1,530,000	1,530,000
(de) Pilot minority student tuition award program	GPR	A	-0-	132,000
(fa) General medical operations	GPR	A	2,282,200	2,282,200
(fc) Department of family medicine and practice	GPR	A	4,327,900	4,327,900
(fd) State laboratory of hygiene; general program operations	GPR	A	3,984,000	3,984,000
(fm) Laboratories	GPR	A	3,083,900	3,083,900
(fn) Private sewage systems-- systems research	GPR	C	-0-	-0-
(g) Physical plant service departments	PR	C	-0-	-0-
(ga) Surplus auxiliary funds	PR	C	-0-	-0-
(gb) Principal repayment and interest	PR	S	6,134,800	6,535,800
(gc) Lease rental payments	PR	S	2,345,400	2,345,400
(gm) Auxiliary enterprises building projects	PR	C	10,598,000	10,598,000
(h) Auxiliary enterprises	PR	A	212,841,800	212,841,800

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(ha) Stores	PR	C	-0-	-0-
(i) State laboratory of hygiene	PR	C	6,468,700	6,467,700
(ia) State laboratory of hygiene, drivers	PR	C	362,600	362,600
(im) Academic student fees	PR	A	248,531,700	252,014,800
(iw) Indoor practice facility for athletic programs operation and maintenance	PR	C	-0-	-0-
(iz) General operations receipts	PR	C	29,981,900	29,981,900
(j) Gifts and donations	PR	C	84,468,600	84,468,600
(ja) Gifts; student loans	PR	C	1,625,900	1,625,900
(jL) Doctoral student loan repayments	PR	C	-0-	-0-
(jm) Distinguished professorships	PR	C	-0-	-0-
(ka) Sale of real property	PR	C	-0-	-0-
(kb) University of Wisconsin hospital and clinics	PR	A	131,244,700	131,244,700
(L) Libraries	PR	C	1,994,600	1,994,600
(Lm) Laboratories	PR	C	1,451,200	1,451,200
(m) Federal aid	PR-F	C	161,028,200	161,028,200
(ma) Federal aid; loans and grants	PR-F	C	78,986,300	78,986,300
(n) Federal indirect cost reimbursement	PR-F	C	36,758,800	36,758,800
(u) Trust fund income	SEG	C	7,985,100	7,985,100
(w) Trust fund operations	SEG	C	-0-	-0-
(x) Driver education teachers	SEG	C	61,000	61,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			610,016,200	619,465,300
PROGRAM REVENUE			1,014,823,200	1,018,706,300
FEDERAL	(		276,773,300)	(276,773,300)
OTHER	(		738,049,900)	(741,933,000)
SEGREGATED FUNDS			8,046,100	8,046,100
OTHER	(		8,046,100)	(8,046,100)
TOTAL-ALL SOURCES			1,632,885,500	1,646,217,700
(3) UNIVERSITY SYSTEM ADMINISTRATION				
(a) General program operations	GPR	A	7,501,700	7,501,700
(iz) General operations receipts	PR	C	124,000	124,000
(n) Federal indirect cost reimbursement	PR-F	A	694,400	694,400
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,501,700	7,501,700
PROGRAM REVENUE			818,400	818,400
FEDERAL	(		694,400)	(694,400)
OTHER	(		124,000)	(124,000)
TOTAL-ALL SOURCES			8,320,100	8,320,100
(4) MINORITY AND DISADVANTAGED PROGRAMS				
(a) Minority and disadvantaged programs	GPR	A	5,500,000	5,500,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,500,000	5,500,000
TOTAL-ALL SOURCES			5,500,000	5,500,000
20.285 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			623,017,900	632,467,000
PROGRAM REVENUE			1,015,641,600	1,019,524,700
FEDERAL	(		277,467,700)	(277,467,700)
OTHER	(		738,173,900)	(742,057,000)
SEGREGATED FUNDS			8,046,100	8,046,100
OTHER	(		8,046,100)	(8,046,100)
TOTAL-ALL SOURCES			1,646,705,600	1,660,037,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
20.292 Vocational, technical and adult education, board of				
(1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION				
(a) General program operations	GPR	A	2,206,500	2,206,500
(b) Displaced homemakers' program	GPR	A	480,100	480,100
(d) State aid for vocational, technical and adult education	GPR	A	80,194,100	85,008,700 Vetoed in Part
(da) Supplemental aid	GPR	A	792,600	-0-
(dc) Incentive grants	GPR	C	731,500	731,500
(dm) Aid for special collegiate transfer programs	GPR	A	1,100,000	2,155,000 Vetoed in Part
(e) Vocational education instructor occupational competency program	GPR	A	71,300	71,300
(g) Text materials	PR	A	123,000	123,000
(gm) Fire schools	PR	A	71,600	71,600
(h) Gifts and grants	PR	C	20,600	20,600
(i) Conferences	PR	C	85,900	85,900
(j) Personnel certification	PR	A	149,300	149,300
(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	931,000	931,000
(m) Federal aid, state operations	PR-F	C	3,779,400	3,779,400
(n) Federal aid, local assistance	PR-F	C	15,695,000	15,695,000
(o) Federal aid, aids to individuals and organizations	PR-F	C	121,500	121,500
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(u) Driver education, local assistance	SEG	A	206,300	206,300
(v) Chauffeur training grants	SEG	C	200,000	200,000
(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			85,576,100	89,650,100
PROGRAM REVENUE			24,422,200	24,422,200
FEDERAL	(		19,595,900)	19,595,900)
OTHER	(		480,600)	480,600)
SERVICE	(		4,345,700)	4,345,700)
SEGREGATED FUNDS			406,300	406,300
OTHER	(		406,300)	406,300)
TOTAL-ALL SOURCES			110,404,600	114,478,600
(2) EDUCATIONAL APPROVAL BOARD				
(a) General program operations	GPR	A	11,400	-0-
(g) Proprietary school permits	PR	A	94,000	105,400
(m) Federal aid	PR-F	C	149,400	149,400
(2) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			11,400	-0-
PROGRAM REVENUE			243,400	254,800
FEDERAL	(		149,400)	149,400)
OTHER	(		94,000)	105,400)
TOTAL-ALL SOURCES			254,800	254,800
2 0 . 2 9 2 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			85,587,500	89,650,100
PROGRAM REVENUE			24,665,600	24,677,000
FEDERAL	(		19,745,300)	19,745,300)
OTHER	(		574,600)	586,000)
SERVICE	(		4,345,700)	4,345,700)
SEGREGATED FUNDS			406,300	406,300
OTHER	(		406,300)	406,300)
TOTAL-ALL SOURCES			110,659,400	114,733,400

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1987-88

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Education

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		2,261,761,900	2,360,805,200
PROGRAM REVENUE		1,203,401,900	1,206,095,500
FEDERAL	(	435,151,000)	(434,703,200)
OTHER	(	751,574,300)	(754,715,700)
SERVICE	(	16,676,600)	(16,676,600)
SEGREGATED FUNDS		23,048,700	24,165,700
FEDERAL	(	-0-)	(-0-)
OTHER	(	23,048,700)	(24,165,700)
SERVICE	(	-0-)	(-0-)
LOCAL	(	-0-)	(-0-)
TOTAL-ALL SOURCES		3,488,212,500	3,591,066,400

Environmental Resources

20.315 Boundary area commission, Minnesota-Wisconsin

(1) BOUNDARY AREA COOPERATION

(a) General program operations	GPR	A	89,600	89,600 Vetoed in Part
(g) Gifts or grants	PR	C	-0-	-0-
20.315 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			89,600	91,500
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			89,600	91,500

20.370 Natural resources, department of

(1) RESOURCE MANAGEMENT

(bq) Wildlife management--land leasing	SEG	A	200,300	200,300
(cq) Forestry--reforestation	SEG	C	100,000	100,000
(da) Water resources--Fox river management; general fund	GPR	C	50,000	50,000
(di) Water resources--Fox river management; gifts and contributions	PR	C	-0-	-0-
(dj) Water resources--Fox river management; fees	PR	C	-0-	-0-
(dn) Water resources--Fox river management; federal moneys	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	-0-	-0-
(ea) Parks--general program operations	GPR	A	3,745,200	3,732,000
(ed) Parks--Olympic ice rink repair, maintenance and improvement	GPR	A	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	A	108,000	108,000
(fg) Endangered res.--Wisconsin natural areas heritage prog.; gifts and contrib.	PR	A	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	87 WisACT 27 1988-89
(fh) Endangered resources-- withdrawals from the state natural areas system	PR	C	-0-	-0-
(fs) Endangered resources-- voluntary payments	SEG	C	418,100	404,600
(jr) Rental property--maintenance	SEG	C	-0-	-0-
(kb) Resource acquisition and development--state funds	GPR	C	182,000	-0-
(kc) Resource acquisition and development--principal repayment and interest	GPR	S	6,784,800	6,900,800 Vetoed in Part
(kd) Resource acquisition and development--Olympic ice rink lease rental payments	GPR	S	35,400	35,400
(kp) Resource acquisition and development--boating access	SEG	C	100,000	100,000
(kq) Resource acquisition and development--taxes and assessments	SEG	A	150,000	150,000
(kr) Resource acquisition and development--nonmotorized boating improvements	SEG	C	-0-	-0-
(ks) Resource acquisition and development--state funds	SEG	C	533,900	473,900
(kt) Resource acquisition and development--wetlands habitat improvement	SEG	C	159,300	150,700
(ku) Resource acquisition and development--Great Lakes trout and salmon	SEG	C	847,700	851,500
(kv) Resource acquisition and development--trout habitat improvement	SEG	C	614,900	616,300
(ky) Resource acquisition and development--federal funds	SEG-F	C	1,880,000	1,880,000
(Lg) Beaver control; forestry account	SEG	C	20,000	20,000 Vetoed in Part
(Lr) Beaver control; fish and wildlife account	SEG	C	100,000	100,000
(ma) General program operations-- state funds	GPR	A	813,200	813,200
(mi) General program operations--research service funds	PR-S	C	-0-	-0-
(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	112,300	112,300
(mr) General program operations-- state park and forest roads	SEG	A	350,000	350,000
(ms) General program operations-- state all-terrain vehicle areas and trails	SEG	A	5,000	5,000
(mt) General program operations-- service funds	SEG-S	C	45,900	45,900
(mu) General program operations--				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
state funds	SEG	A	-0-	-0-
Fish management	SEG	A	10,048,200	10,043,400
Wildlife management	SEG	A	6,432,800	6,429,600
Forestry	SEG	A	17,399,200	17,416,700
Southern forests	SEG	A	2,069,500	2,069,500
Parks and recreation	SEG	A	3,730,700	3,702,800
Engineering	SEG	A	1,014,500	1,014,500
Research	SEG	A	1,511,200	1,511,200
Real estate	SEG	A	282,800	282,800
Resource acquisition and development	SEG	A	-0-	-0-
NET APPROPRIATION			42,488,900	42,470,500
(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	708,600	708,600
Wildlife management	SEG-F	C	1,313,200	1,313,200
Forestry	SEG-F	C	463,900	463,900
Southern forests	SEG-F	C	109,000	109,000
Parks and recreation	SEG-F	C	316,600	316,600
Endangered resources	SEG-F	C	94,800	94,800
Research	SEG-F	C	956,700	956,700
NET APPROPRIATION			3,962,800	3,962,800
(1) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			11,791,000	11,618,800
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(
OTHER	(		-0-)	(
SERVICE	(		-0-)	(
SEGREGATED FUNDS			52,089,100	51,993,800
FEDERAL	(		5,842,800)	(
OTHER	(		46,200,400)	(
SERVICE	(		45,900)	(
TOTAL-ALL SOURCES			63,880,100	63,612,600
(2) ENVIRONMENTAL STANDARDS				
(aq) Water resources management-- lake and river management	SEG	A	560,400	562,100
(bL) Wastewater management--fees	PR	C	334,800	364,100
(ca) Air management--sulfur dioxide emission reduction study	GPR	A	-0-	-0-
(ci) Air management--permit review and enforcement	PR	A	479,100	479,100
(cj) Air management -- acid deposition activities	PR	A	312,000	312,000
(cq) Air manage.--motor vehicle emission inspec. and maint. program, state funds	SEG	A	33,800	33,800
(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	1,316,700	1,309,200
(dh) Solid waste management--gifts and grants	PR	C	-0-	-0-
(di) Solid waste management-- reimbursements and				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89	
environmental repair	PR	C	-0-	-0-	
(dq) Solid waste management--waste management fund	SEG	C	-0-	-0-	
(dr) Solid waste management--environmental repair; administration	SEG	A	462,000	480,900	
(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-	
(dv) Solid waste management--environmental repair; spills; abandoned containers	SEG	C	3,738,000	4,161,700	
(dw) Solid waste management--waste tire removal and recovery programs	SEG	C	-0-	2,000,000	Vetoed in Part
(dx) Solid waste management--environmental repair; federal funds	SEG-F	C	-0-	-0-	
(eb) Compen. for well contamination; municipal water supply grants --	GPR	C	-0-	-0-	
(ec) Compen. for well contamination; municipal water supply grants -- admin.	GPR	A	-0-	-0-	
(eg) Compen. for well contamination; mun. water supply grants--grant	PR	C	-0-	-0-	
(fi) Environmental damage compensation	PR	C	106,300	106,300	
(fj) Environmental quality--laboratory certification	PR	A	259,200	259,200	
(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-	
(hq) Solid waste management--petroleum storage environmental cleanup	SEG	C	5,000,000	5,000,000	
(hr) Solid waste management--petroleum storage environmental cleanup; admin.	SEG	A	166,400	166,400	Vetoed in Part
(ma) General program operations--state funds	GPR	A	-0-	-0-	
Water resources management	GPR	A	2,430,400	2,593,800	
Wastewater management	GPR	A	2,814,400	2,818,800	Vetoed in Part
Air management	GPR	A	2,526,000	2,565,600	
Solid waste management	GPR	A	1,963,900	1,963,900	
Water supply management	GPR	A	1,289,900	1,290,800	
Technical services	GPR	A	676,900	676,900	
NET APPROPRIATION			11,701,500	11,909,600	
(mb) General program operations--groundwater general fund supplement	GPR	A	866,800	866,800	
(md) General program operations--					

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
environmental repair general fund supplement	GPR	A	700,000	700,000
(mi) General program operations--aquatic nuisance control	PR	C	30,000	30,000
(mk) General program operations--service funds	PR-S	C	-0-	-0-
(mm) General program operations--federal funds	PR-F	C	-0-	-0-
Water resources management	PR-F	C	1,470,200	1,454,300
Wastewater management	PR-F	C	1,341,500	1,320,500
Air management	PR-F	C	1,481,700	1,480,300
Solid waste management	PR-F	C	859,400	857,400
Water supply management	PR-F	C	711,300	709,800
Technical services	PR-F	C	-0-	-0-
NET APPROPRIATION			5,864,100	5,822,300
(ms) General program operations--groundwater activities	SEG	A	1,915,700	1,916,400
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			13,268,300	13,476,400
PROGRAM REVENUE			8,722,200	8,702,200
FEDERAL	(		5,864,100)	(5,822,300)
OTHER	(		2,858,100)	(2,879,900)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			11,845,200	14,321,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		11,845,200)	(14,321,300)
TOTAL-ALL SOURCES			33,835,700	36,499,900
(3) ENFORCEMENT				
(aq) Law enforcement--snowmobile enforcement and safety training	SEG	A	263,800	263,800
(ar) Law enforcement--boat enforcement and safety training	SEG	A	736,600	736,600
(as) Law enforcement--all-terrain vehicle enforcement	SEG	A	23,000	23,000
(bh) Water regulation and zoning--dam inspections and safety administration	PR	A	98,300	98,300
(cr) Environmental enforcement--groundwater enforcement	SEG	A	38,700	37,500
(cu) Environmental enforcement--spills program	SEG	A	39,100	39,100
(dg) Environmental impact--consultant services; printing and postage costs	PR	C	-0-	-0-
(ma) General program operations--state funds	GPR	A	3,864,700	3,864,700
(mk) General program operations--service funds	PR-S	C	85,000	85,000
(mm) General program operations--federal funds	PR-F	C	264,000	271,000
(mu) General program operations--state funds	SEG	A	8,573,400	8,573,400
(my) General program operations--federal funds	SEG-F	C	969,700	969,700
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,864,700	3,864,700
PROGRAM REVENUE			447,300	454,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89	87 WisACT 27
FEDERAL	(		264,000)	(	271,000)
OTHER	(		98,300)	(	98,300)
SERVICE	(		85,000)	(	85,000)
SEGREGATED FUNDS			10,644,300		10,643,100
FEDERAL	(		969,700)	(	969,700)
OTHER	(		9,674,600)	(	9,673,400)
TOTAL-ALL SOURCES			14,956,300		14,962,100
(4) LOCAL SUPPORT					
(am) Resource aids--national forest income aids	PR-F	C	630,000		660,000
(an) Resource aids--payment in lieu of taxes; federal	PR-F	C	200,000		220,000
(aq) Resource aids--Canadian agencies migratory waterfowl aids	SEG	C	87,300		83,100
(ar) Res. aids--county forests, forest croplands and managed forest land aids	SEG	A	1,640,900		1,640,900
(as) Resource aids--county conservation aids	SEG	A	140,000		140,000
(bp) Recreation aids--waterfront park aids; conservation fund	SEG	C	1,000,000		1,000,000
(bq) Recreation aids--fish, wildlife and forestry recreation aids	SEG	A	-0-		-0-
(br) Recreation aids--badger fund	SEG	C	-0-		-0-
(bs) Recreation aids--county snowmobile trail and area aids	SEG	C	1,781,300		1,159,000
(bt) Recreation aids--snowmobile trail areas; transportation fund	SEG	C	1,323,600		1,469,000
(bu) Recreation aids--recreational boating projects	SEG	C	881,800		3,651,800
(bv) Recreation aids--motorcycle recreation aids; trails	SEG	A	197,500		197,500
(bw) Recreation aids--waterfront park aids; transportation fund	SEG	C	1,500,000		1,500,000
(bx) Recreation and resource aids, federal funds	SEG-F	C	183,200		183,200
(by) Recreation aids--all-terrain vehicle project aids	SEG	C	120,000		100,000
(bz) Recreation aids--all-terrain vehicle project aids; transportation fund	SEG	C	67,100		118,400
(ca) Environmental aids--point source; prior to bonding and small projects	GPR	A	53,300		53,300
(cb) Environmental aids--point source; pollution abatement grants; general fund	GPR	C	324,000		-0-
(cc) Environmental aids; nonpoint source	GPR	C	6,732,400		6,732,400
(cd) Environmental aids--household hazardous waste	GPR	A	50,000		50,000
(ce) Environmental aids-waste reduction and recycling demonstration grants	GPR	C	50,000		50,000

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(cf) Environmental aids--private sewage system replacement and rehabilitation	GPR	A	2,000,000	2,000,000
(cj) Environmental aids--waste reduction and recycling grants and gifts	PR	C	-0-	-0-
(cm) Environmental aids--federal funds	PR-F	C	1,000,000	1,000,000
(co) Environmental aids--inland lake renewal; federal funds	PR-F	C	-0-	-0-
(da) Environmental planning aids--local water quality planning	GPR	A	167,800	167,800
(dc) Environmental planning aids--recycling transition funds	GPR	A	-0-	-0-
(dn) Environmental planning aids--federal funds	PR-F	C	-0-	-0-
(dq) Environmental aids--scenic urban waterways	SEG	C	100,000	100,000 Vetoed in Part
(ea) Aids in lieu of taxes	GPR	S	705,300	736,000 Vetoed in Part
(eq) Aids in lieu of taxes	SEG	S	945,800	957,500
(fq) Enforcement aids--boating enforcement	SEG	A	300,000	300,000
(fr) Enforcement aids--boating enforcement	SEG	A	147,500	147,500
(ft) Enforcement aids--snowmobiling enforcement	SEG	A	126,500	126,500
(fu) Enforcement aids--all-terrain vehicle enforcement	SEG	A	18,000	22,000
(fy) Enforcement aids--federal funds	SEG-F	C	-0-	-0-
(ga) Enforcement aids--spearfishing enforcement	GPR	C	35,000	35,000
(gq) Wildlife damage claims and abatement	SEG	C	1,079,100	1,119,400
(hb) Youth camps and work projects--state funds	GPR	A	531,200	531,200
(hm) Youth camps and work projects--federal funds	PR-F	C	-0-	-0-
(hq) Youth camps and work projects--state lands	SEG	A	303,200	303,200
(ia) Aids administration--general program operations, state funds	GPR	A	266,800	267,800 Vetoed in Part
(im) Aids administration--general program operations, federal funds	PR-F	C	1,591,700	1,618,800
(iq) Aids administration--all-terrain vehicle recreation	SEG	A	8,000	8,300
(ir) Aids administration--motorcycle recreation	SEG	A	45,800	45,800
(is) Aids administration--snowmobile recreation	SEG	A	71,900	72,400
(it) Aids administration--wildlife damage claims and abatement	SEG	A	32,900	32,900
(iu) Aids administration--general program operations, state funds	SEG	A	359,300	359,300
(iy) Aids administration--general				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	87 WisAct 27 1988-89
program operations, federal funds	SEG-F	C	50,000	50,000
(jb) Debt service--recreational boating bonds	GPR	S	146,600	140,600
(jc) Debt service--point source pollution abatement bonds	GPR	S	67,746,100	72,507,800
(jd) Debt service--combined sewer overflow; pollution abatement bonds	GPR	S	7,404,300	11,598,500
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			86,312,800	94,960,200
PROGRAM REVENUE			3,421,700	3,498,800
FEDERAL	(		3,421,700)	(3,498,800)
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			14,510,700	14,887,700
FEDERAL	(		233,200)	(233,200)
OTHER	(		14,277,500)	(14,654,500)
TOTAL-ALL SOURCES			104,245,200	113,346,700
(8) ADMINISTRATIVE SERVICES				
(dq) Snowmobile registration	SEG	A	122,000	151,000
(dr) Boat registration	SEG	A	357,100	357,100
(ds) All-terrain vehicle administration	SEG	A	47,900	62,800
(iq) Natural resources magazine	SEG	C	523,100	523,100
(La) Facility repair and maintenance	GPR	A	13,600	13,600
(Lb) Administrative facilities--principal repayment and interest	GPR	S	413,100	397,000
(Lc) Facility repair and maintenance--parks and youth camps	GPR	A	15,000	15,000
(Ld) Administrative facilities--acquisition, development and improvement	GPR	C	66,000	16,000
(Lr) Facility repair and maintenance	SEG	A	239,400	239,400
(Ls) Administrative facilities--principal repayment and interest	SEG	S	425,500	405,700
(Lt) Administrative facilities--acquisition, development and improvement	SEG	C	260,000	260,000
(Lu) Rental property--maintenance	SEG	C	-0-	-0-
(ma) General program operations--state funds	GPR	A	6,774,600	6,774,600
(mk) General program operations--data processing	PR-S	A	1,115,900	1,115,900
(mm) General program operations--federal funds	PR-F	C	-0-	-0-
(mn) Indirect cost reimbursements	PR-F	C	2,137,500	2,130,600
(mt) General program operations--service funds	SEG-S	C	51,300	51,300
(mu) General program operations--state funds	SEG	A	14,564,700	14,564,700
(mv) General program operations--groundwater fund	SEG	A	193,900	193,900
(my) General program operations--federal funds	SEG-F	C	-0-	-0-

Vetoed
in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(mz) Indirect cost reimbursements	SEG-F C		658,800	642,500
	(8) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			7,282,300	7,216,200
PROGRAM REVENUE			3,253,400	3,246,500
FEDERAL	(		2,137,500)	(2,130,600)
SERVICE	(		1,115,900)	(1,115,900)
SEGREGATED FUNDS			17,443,700	17,451,500
FEDERAL	(		658,800)	(642,500)
OTHER	(		16,733,600)	(16,757,700)
SERVICE	(		51,300)	(51,300)
TOTAL-ALL SOURCES			27,979,400	27,914,200
	2 0 . 3 7 0	D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			122,519,100	131,136,300
PROGRAM REVENUE			15,844,600	15,901,800
FEDERAL	(		11,687,300)	(11,722,700)
OTHER	(		2,956,400)	(2,978,200)
SERVICE	(		1,200,900)	(1,200,900)
SEGREGATED FUNDS			106,533,000	109,297,400
FEDERAL	(		7,704,500)	(7,688,200)
OTHER	(		98,731,300)	(101,512,000)
SERVICE	(		97,200)	(97,200)
TOTAL-ALL SOURCES			244,896,700	256,335,500

20.395 Transportation, department of

(1) AIDS

(aq) Transportation aids, state funds	SEG	A	187,577,000	199,575,900
(bq) Transit operating aids, state funds	SEG	A	44,735,300	48,537,700
(br) Milwaukee urban area rail transit system planning study; state funds	SEG	A	-0-	-0-
(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	610,200	638,900
(cr) Elderly and handicapped county aids, state funds	SEG	A	3,780,900	3,958,600
(cv) Elderly and handicapped aids, local funds	SEG-L	C	248,000	253,800
(cx) Elderly and handicapped aids, federal funds	SEG-F	C	630,000	630,000
(dq) Scheduled air passenger service assistance aid, state funds	SEG	C	-0-	-0-
(ex) Highway safety, local assistance, federal funds	SEG-F	C	1,700,000	1,700,000
(fq) Connecting highway aids, state funds	SEG	A	8,910,400	9,300,000
(fr) Flood damage aids, state funds	SEG	C	500,000	500,000
(ft) Lift bridge aids, state funds	SEG	A	1,453,700	1,000,000
(gq) Expressway policing aids, state funds	SEG	A	600,000	663,600
	(1) P R O G R A M	T O T A L S		
SEGREGATED FUNDS			252,845,500	268,858,500
FEDERAL	(		4,430,000)	(4,430,000)
OTHER	(		248,167,500)	(264,174,700)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
LOCAL	(		248,000)	(253,800)
TOTAL-ALL SOURCES			252,845,500	268,858,500
(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	2,970,000	2,910,000
(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 and ferry service assistance grants, state funds	SEG	C	600,000	500,000
(dq) Local airport development, state funds	SEG	C	3,760,700	4,046,700
(dv) Local airport development, local funds	SEG-L	C	3,046,100	3,046,100
(dx) Local airport development, federal funds	SEG-F	C	17,600,000	17,600,000
(eq) Highway and local bridge improvement assistance, state funds	SEG	C	9,752,800	10,691,700
(ev) Local bridge improvement assistance, local funds	SEG-L	C	6,480,700	6,715,400
(ex) Local bridge improvement assistance, federal funds	SEG-F	C	16,157,000	16,157,000
(fv) Local highway improvement assistance, local funds	SEG-L	C	6,820,800	6,820,800
(fx) Local highway improvement assistance, federal funds	SEG-F	C	22,646,400	22,646,400
(gq) Railroad crossing improvement and protection assistance, state funds	SEG	A	2,916,300	3,026,300
(gs) Railroad crossing repair assistance, state funds	SEG	A	250,000	250,000
(gv) Railroad crossing improvement, local funds	SEG-L	C	-0-	-0-
(gx) Railroad crossing improvement, federal funds	SEG-F	C	2,333,600	2,333,600
(iq) Transportation facilities economic assistance and development, state funds	SEG	C	3,000,000	3,000,000
(iv) Transportation facilities economic assistance and development, local funds	SEG-L	C	3,000,000	3,000,000
(ix) Transportation facilities economic assistance & development, federal funds	SEG-F	C	-0-	-0-
(2) P R O G R A M T O T A L S			101,934,400	103,344,000
SEGREGATED FUNDS			(59,337,000)	(59,337,000)
FEDERAL				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
OTHER	(23,249,800)	(24,424,700)
LOCAL	(		19,347,600)	(19,582,300)
TOTAL-ALL SOURCES			101,934,400	103,344,000
(3) STATE HIGHWAY FACILITIES				
(bq) Major highway development, state funds	SEG	C	18,200,700	12,961,600
(bv) Major highway development, local funds	SEG-L	C	-0-	-0-
(bx) Major highway development, federal funds	SEG-F	C	15,727,300	21,720,400
(cq) Existing highway improvement, state funds	SEG	C	102,783,400	107,277,200
(cv) Existing highway improvement, local funds	SEG-L	C	1,510,000	1,510,000
(cx) Existing highway improvement, federal funds	SEG-F	C	58,162,000	59,692,900
(dq) Improvement of state bridges, state funds	SEG	C	16,597,700	16,588,700
(dv) Improvement of state bridges, local funds	SEG-L	C	490,000	490,000
(dx) Improvement of state bridges, federal funds	SEG-F	C	16,157,000	16,157,000
(eq) General and winter highway maintenance and repair, state funds	SEG	B	72,324,200	75,298,900
(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	37,290,000	38,824,200
(fv) Special highway maintenance, local funds	SEG-L	C	-0-	-0-
(fx) Special highway maintenance, federal funds	SEG-F	C	-0-	-0-
(gq) Interstate construction and rehabilitation, state funds	SEG	C	6,339,500	6,573,200
(gv) Interstate construction and rehabilitation, local funds	SEG-L	C	-0-	-0-
(gx) Interstate construction and rehabilitation, federal funds	SEG-F	C	57,085,700	59,189,100
(hq) Highway traffic operations, state funds	SEG	A	14,851,700	14,999,700
(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	11,240,000	11,531,200
(iv) General program operations, highways, local funds	SEG-L	C	-0-	-0-
(ix) General program operations, highways, federal funds	SEG-F	C	1,332,600	1,332,600
(qh) Highways, bridges, rail and airport clearing account	SEG	C	-0-	-0-
(qj) Highway and bridge clearing account, federally funded				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
positions	SEG-F C		-0-	-0-
	(3) P R O G R A M	T O T A L S		
SEGREGATED FUNDS			430,491,800	444,546,700
FEDERAL	(		148,614,600)	(158,242,000)
OTHER	(		279,627,200)	(284,054,700)
LOCAL	(		2,250,000)	(2,250,000)
TOTAL-ALL SOURCES			430,491,800	444,546,700
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	30,910,400	30,227,700
(av) Departmental management and operations, local funds	SEG-L	C	108,200	108,200
(ax) Departmental management and operations, federal funds	SEG-F	C	3,487,200	3,487,200
(ch) Gifts and grants	PR	C	-0-	-0-
(er) Fleet operations, service funds	SEG-S	C	9,946,800	9,979,900
(es) Other department services, operations, service funds	SEG-S	C	688,500	688,500
(et) Service center supplements, state funds	SEG	A	-0-	-0-
(gq) Type 1 motorcycle, moped and motor bicycle safety program, state funds	SEG	A	185,700	157,400
	(4) P R O G R A M	T O T A L S		
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			45,326,800	44,648,900
FEDERAL	(		3,487,200)	(3,487,200)
OTHER	(		31,096,100)	(30,385,100)
SERVICE	(		10,635,300)	(10,668,400)
LOCAL	(		108,200)	(108,200)
TOTAL-ALL SOURCES			45,326,800	44,648,900
(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(ch) Veh. reg. & driver lic., operating under the influence enforce., state	PR	A	773,200	773,200
(cq) Vehicle reg., inspection & maintenance & driver licensing, state funds	SEG	A	41,398,800	41,573,400
(cx) Vehicle registration and driver licensing, federal funds	SEG-F	C	278,700	204,900
(dq) Vehicle inspection and traffic enforcement, state funds	SEG	A	28,191,400	27,144,500
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F	C	963,400	963,400
(hq) Motor veh. emission insp. and maint. program, contractor costs, state funds	SEG	A	8,230,000	8,377,000
(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG-F	C	-0-	-0-
(iv) Municipal and county registration fee, local funds	SEG-L	C	-0-	-0-
	(5) P R O G R A M	T O T A L S		
PROGRAM REVENUE			773,200	773,200

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
OTHER	(773,200)	(773,200)
SEGREGATED FUNDS			79,062,300	78,263,200
FEDERAL	(		1,242,100)	(1,168,300)
OTHER	(		77,820,200)	(77,094,900)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			79,835,500	79,036,400
(6) DEBT SERVICES				
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	22,909,000	22,498,900
(ar) Principal repayment and interest, buildings, state funds	SEG	S	903,300	871,000
(as) Transportation facilities and highway projects revenue obligation repayment	SEG	C	-0-	-0-
(6) PROGRAM TOTALS				
SEGREGATED FUNDS			23,812,300	23,369,900
OTHER	(		23,812,300)	(23,369,900)
TOTAL-ALL SOURCES			23,812,300	23,369,900
(7) OFFICE OF THE COMMISSIONER OF TRANSPORTATION				
(aq) Transportation regulation and general program operations	SEG	A	890,600	903,900
(ax) Transportation regulation and general program operations, federal funds	SEG-F	C	-0-	-0-
(7) PROGRAM TOTALS				
SEGREGATED FUNDS			890,600	903,900
FEDERAL	(		-0-)	(-0-)
OTHER	(		890,600)	(903,900)
TOTAL-ALL SOURCES			890,600	903,900
20.395 DEPARTMENT TOTALS				
PROGRAM REVENUE			773,200	773,200
OTHER	(		773,200)	(773,200)
SEGREGATED FUNDS			934,363,700	963,935,100
FEDERAL	(		217,110,900)	(226,664,500)
OTHER	(		684,663,700)	(704,407,900)
SERVICE	(		10,635,300)	(10,668,400)
LOCAL	(		21,953,800)	(22,194,300)
TOTAL-ALL SOURCES			935,136,900	964,708,300

20.399 Wisconsin conservation corps board

(1) CORPS ENROLLEE SUPPORT

(a) Corps enrollee compensation and support; general program operations	GPR	C	2,346,900	2,346,900 Vetoed in Part
(j) Corps enrollee compensation and support; sponsor contribution	PR	C	62,800	62,800
(k) Corps enrollee compensation and support; service funds	PR-S	C	125,700	125,700
(m) Corps enrollee compensation and support; federal funds	PR-F	C	-0-	-0-
(q) Corps enrollee compensation and support; conservation fund	SEG	C	127,400	127,400 Vetoed in Part
(r) Corps enrollee compensation and support; transportation fund	SEG	C	250,000	250,000

(1) PROGRAM TOTALS

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
GENERAL PURPOSE REVENUES			2,346,900	2,383,000
PROGRAM REVENUE			188,500	188,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		62,800)	(62,800)
SERVICE	(		125,700)	(125,700)
SEGREGATED FUNDS			377,400	377,400
OTHER	(		377,400)	(377,400)
TOTAL-ALL SOURCES			2,912,800	2,948,900
(2) ADMINISTRATION				
(a) Administrative support; general program operations	GPR	A	242,100	206,000 Vetoed in Part
(j) Administrative support; sponsor contribution	PR	C	-0-	-0-
(k) Conservation corps -- administrative support; service funds	PR-S	C	-0-	-0-
(m) Administrative support; federal funds	PR-F	C	-0-	-0-
(q) Administrative support; conservation fund	SEG	A	272,900	272,900
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			242,100	206,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			272,900	272,900
OTHER	(		272,900)	(272,900)
TOTAL-ALL SOURCES			515,000	478,900
(3) GIFTS AND RELATED SUPPORT				
(g) Gifts and related support	PR	C	-0-	-0-
(3) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.399 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,589,000	2,589,000
PROGRAM REVENUE			188,500	188,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		62,800)	(62,800)
SERVICE	(		125,700)	(125,700)
SEGREGATED FUNDS			650,300	650,300
OTHER	(		650,300)	(650,300)
TOTAL-ALL SOURCES			3,427,800	3,427,800
Environmental Resources				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			125,197,700	133,816,800
PROGRAM REVENUE			16,806,300	16,863,500
FEDERAL	(		11,687,300)	(11,722,700)
OTHER	(		3,792,400)	(3,814,200)
SERVICE	(		1,326,600)	(1,326,600)
SEGREGATED FUNDS			1,041,547,000	1,073,882,800
FEDERAL	(		224,815,400)	(234,352,700)
OTHER	(		784,045,300)	(806,570,200)
SERVICE	(10,732,500)	(10,765,600)
LOCAL	(21,953,800)	(22,194,300)
TOTAL-ALL SOURCES			1,183,551,000	1,224,563,100

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1987-88

1988-89

Human Relations and Resources

20.420 Criminal justice, council on

(1) CRIMINAL JUSTICE

(a)	General program operations	GPR	A	108,400	-0-	Vetoed in Part
(am)	Statistical Analysis Center	GPR	A	174,400	-0-	
(g)	Anti-drug enforcement program, aids and local assistance	PR	C	449,600	-0-	
(h)	Anti-drug enforcement program, state operations	PR	C	214,500	-0-	
(k)	Interagency and intra-agency assistance	PR-S	C	100,300	-0-	
(m)	Federal aid, planning and administration, state operations	PR-F	C	177,200	-0-	
(o)	Federal aid, criminal justice improvement projects, state operations	PR-F	C	292,000	-0-	
(p)	Federal aid, criminal justice improvement projects, local assistance	PR-F	C	984,400	-0-	
(pa)	Federal aid, criminal justice improvement projects, aid to organizations	PR-F	C	181,800	-0-	
(pb)	Federal aid, anti-drug enforcement program, aids and local assistance	PR-F	C	2,248,100	-0-	
(pc)	Federal aid, anti-drug enforcement program, state operations	PR-F	C	1,215,900	-0-	

20.420 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				282,800	-0-
PROGRAM REVENUE				5,863,800	-0-
FEDERAL				(5,099,400)	(-0-)
OTHER				(664,100)	(-0-)
SERVICE				(100,300)	(-0-)
TOTAL-ALL SOURCES				6,146,600	-0-

20.425 Employment relations commission

(1) PROMOTION OF PEACE IN LABOR RELATIONS

(a)	General program operations	GPR	A	2,007,200	2,007,200
(g)	Publications	PR	A	20,000	20,000
(h)	Arbitration training	PR	C	-0-	-0-

20.425 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				2,007,200	2,007,200
PROGRAM REVENUE				20,000	20,000
OTHER				(20,000)	(20,000)
TOTAL-ALL SOURCES				2,027,200	2,027,200

20.432 Board on aging and long-term care

(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED

(a)	General program operations	GPR	A	216,900	214,200
(i)	Gifts and grants	PR	C	-0-	-0-
(k)	Contracts with state agencies	PR-S	A	68,200	68,200
(kb)	Insurance and other information, counseling and assistance	PR-S	A	66,000	73,000
(m)	Federal aid	PR-F	C	-0-	-0-

(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				216,900	214,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
PROGRAM REVENUE			134,200	141,200
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		134,200)	(141,200)
TOTAL-ALL SOURCES			351,100	355,400
(2) PROTECTION AND ADVOCACY AGENCY				
(a) Advocacy services	GPR	A	50,000	50,000
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			50,000	50,000
TOTAL-ALL SOURCES			50,000	50,000
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			266,900	264,200
PROGRAM REVENUE			134,200	141,200
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		134,200)	(141,200)
TOTAL-ALL SOURCES			401,100	405,400
20.433 Child abuse and neglect prevention board				
(1) PREVENTION OF CHILD ABUSE AND NEGLECT				
(g) General program operations	PR	A	110,700	111,200
(h) Grants to organizations	PR	C	556,600	556,600
(m) Federal aid	PR-F	C	-0-	-0-
(q) Children's trust fund	SEG	C	-0-	-0-
20.433 DEPARTMENT TOTALS				
PROGRAM REVENUE			667,300	667,800
FEDERAL	(		-0-)	(-0-)
OTHER	(		667,300)	(667,800)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			667,300	667,800
20.434 Adolescent pregnancy prevention and pregnancy services board				
(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES				
(a) General program operations	GPR	A	76,400	76,400
(b) Grants to organizations	GPR	A	461,800	461,800
20.434 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			538,200	538,200
TOTAL-ALL SOURCES			538,200	538,200
20.435 Health and social services, department of				
(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
(a) General program operations	GPR	A	18,575,900	18,520,000
(am) Acquired immunodeficiency syndrome services	GPR	A	205,000	205,000
(b) Medical assistance program benefits	GPR	B	476,928,600	496,306,500
(bm) Medical assistance administration	GPR	B	6,121,800	6,311,800
(bs) Health care for elderly persons	GPR	A	-0-	-0-
(d) Facility appeals mechanism	GPR	A	546,800	546,800
(dm) Nursing home receivership supplement	GPR	S	-0-	-0-
(e) Disease aids	GPR	B	2,195,000	2,195,000
Vetoed in Part (eg) Pregnancy counseling and adolescent health services	GPR	A	555,600	1,293,300
(em) Supplemental food program for women, infants and children benefits	GPR	A	1,900,400	1,901,300
(es) Supplemental food program for				

Vetoed in Part

Vetoed in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89	
women, infants and children administration	GPR	A	78,100	78,100	
(f) Family planning	GPR	A	1,150,000	1,150,000	
(fa) State health insurance pilot projects benefits	GPR	B	-0-	1,287,000	Vetoed in Part
(fb) State health insurance pilot projects administration	GPR	E	179,500	772,700	Vetoed in Part
(fc) Primary health care program	GPR	C	1,500,000	1,500,000	Vetoed in Part
(gm) Licensing activities	PR	A	3,281,000	3,308,500	
(gp) Health care	PR	A	124,800	124,800	Vetoed in Part
(i) Gifts and grants	PR	C	173,000	169,500	
(j) Fees for services and supplies	PR	A	781,400	781,400	
(ja) Congenital disorders diagnosis, special dietary treatment and counseling	PR	A	338,700	426,000	
(k) Nursing home receivership operations	PR-S	C	-0-	-0-	
(km) Internal services	PR-S	A	1,469,800	1,469,800	
(kx) Interagency and intra-agency programs	PR-S	C	152,600	149,300	
(ky) Interagency and intra-agency aids	PR-S	C	78,000	-0-	
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-	
(m) Federal project operations	PR-F	C	3,920,200	3,784,000	
(ma) Federal project aids	PR-F	C	928,400	928,400	
(mc) Block grant operations	PR-F	C	5,942,800	5,890,400	
(md) Block grant aids	PR-F	C	12,568,000	12,530,500	
(n) Federal program operations	PR-F	C	10,730,000	11,223,300	
(na) Federal program aids	PR-F	C	27,380,400	27,380,400	
(o) Federal aid; medical assistance	PR-F	C	678,203,800	719,117,400	
(p) Federal aid; medical assistance contracts administration	PR-F	C	11,466,500	11,466,500	
(q) Groundwater--standards; implementation	SEG	A	140,800	140,800	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			509,936,700	532,017,500	
PROGRAM REVENUE			757,539,400	798,750,200	
FEDERAL	(		751,140,100)	(792,320,900)	
OTHER	(		4,698,900)	(4,810,200)	
SERVICE	(		1,700,400)	(1,619,100)	
SEGREGATED FUNDS			140,800	140,800	
OTHER	(		140,800)	(140,800)	
TOTAL-ALL SOURCES			1,267,616,900	1,330,908,500	
(2) CARE AND TREATMENT FACILITIES					
(a) General program operations	GPR	A	29,868,900	29,734,500	
(aa) Institutional repair and maintenance	GPR	A	435,900	435,900	
(ee) Principal repayment and interest	GPR	S	4,879,900	4,712,500	
(ef) Lease rental payments	GPR	S	503,000	503,000	
(f) Utilities and heating	GPR	A	1,124,800	1,124,800	Vetoed in Part
(gk) Institutional operations and charges	PR	A	105,624,500	105,627,500	
(i) Gifts and grants	PR	C	120,800	120,800	
(kx) Interagency and intra-agency					

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1987-88	87 WisACT 27 1988-89
	programs	PR-S	C	1,782,200	1,798,600
(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	54,600	54,600
(2) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES				36,812,500	36,570,300
PROGRAM REVENUE				107,582,100	107,601,500
	FEDERAL	(	54,600)	(	54,600)
	OTHER	(	105,745,300)	(	105,748,300)
	SERVICE	(	1,782,200)	(	1,798,600)
TOTAL-ALL SOURCES				144,394,600	144,171,800
(3) CORRECTIONAL SERVICES					
(a)	General program operations	GPR	A	117,400,900	118,876,800 Vetoed in Part
(aa)	Institutional repair and maintenance	GPR	A	1,135,200	1,135,200
(ab)	Intergovernmental corrections agreements	GPR	A	467,800	467,800
(am)	Juvenile correctional services	GPR	A	17,200	108,900 Vetoed in Part
(c)	Reimbursement claims of counties containing state institutions	GPR	S	106,100	106,100
(d)	Purchased services for offenders	GPR	A	999,000	999,000
(dd)	Special living arrangements	GPR	A	1,873,500	1,873,500
(e)	Principal repayment and interest	GPR	S	15,308,600	16,240,000 Vetoed in Part
(ec)	Self-amortizing prison industries principal and interest	GPR	S	-0-	-0-
(ef)	Lease rental payments	GPR	S	114,000	114,000
(f)	Utilities and heating	GPR	A	4,615,300	5,098,400 Vetoed in Part
(g)	Probationer and parolee loan fund	PR	A	47,000	47,000
(gg)	Supervision of criminal defendants	PR	A	-0-	-0-
(h)	Administration of restitution	PR	A	156,900	156,900
(hm)	Juvenile correctional services	PR	A	17,302,000	17,510,200
(ho)	Foster care	PR	A	2,653,100	2,763,600
(i)	Gifts and grants	PR	C	47,600	47,600
(j)	State-owned housing maintenance	PR	A	-0-	-0-
(jp)	Correctional officer training	PR	A	964,200	994,200
(kk)	Institutional operations and charges	PR-S	A	4,240,500	4,283,300
(km)	Prison industries	PR-S	A	9,845,600	10,342,700
(ko)	Prison industries principal and interest	PR-S	S	179,400	176,100
(kx)	Interagency and intra-agency programs	PR-S	C	1,633,100	1,701,400
(ky)	Interagency and intra-agency aids	PR-S	C	220,600	421,300
(kz)	Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m)	Federal project operations	PR-F	C	437,900	460,800
(n)	Federal program operations	PR-F	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89	
(o) Federal aid; foster care	PR-F	C	-0-	-0-	
(3) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			142,037,600	145,001,500	
PROGRAM REVENUE			37,727,900	38,905,100	
FEDERAL	(		437,900)	(460,800)	
OTHER	(		21,170,800)	(21,519,500)	
SERVICE	(		16,119,200)	(16,924,800)	
TOTAL-ALL SOURCES			179,765,500	183,906,600	
(4) COMMUNITY SERVICES					Vetoed
(a) General program operations	GPR	A	18,380,500	18,530,100	in Part
(b) Community aids	GPR	A	188,834,800	178,734,300	
(bb) Community support program grants	GPR	E	500,000	375,000	Vetoed
(bc) Community support program aids	GPR	A	-0-	375,000	in Part
(bd) Community options program	GPR	A	28,098,700	39,444,900	Vetoed
(be) Services to persons with brain injury	GPR	B	200,000	200,000	in Part
(bf) Alzheimer's disease; training and information grants	GPR	A	150,000	150,000	
(bg) Employment and training programs; administration	GPR	A	818,900	457,700	Vetoed
(bp) Guaranteed jobs program	GPR	B	100,000	400,000	in Part
(c) Independent living centers	GPR	A	311,700	411,700	Vetoed
(cb) Domestic abuse grants	GPR	A	1,836,600	1,831,600	in Part
(cc) Shelter for homeless individuals and families	GPR	A	650,000	650,000	
(cd) Community youth and family aids	GPR	A	50,515,500	53,768,600	Vetoed
(cf) Foster parent insurance and liability	GPR	A	87,900	87,900	
(cj) Reduction of paternity backlog	GPR	B	90,000	-0-	
(cm) Juvenile restitution and community service projects	GPR	A	100,000	200,000	Vetoed
(cv) State supplement to community services block grant	GPR	A	300,000	300,000	Vetoed
(d) Income maintenance payments to individuals	GPR	S	219,703,500	221,479,500	Vetoed
(da) Reimbursements to local units of government	GPR	S	192,900	192,900	
(dc) Emergency assistance program	GPR	A	1,707,000	1,707,000	
(dd) State foster care and adoption services	GPR	A	2,879,200	5,089,100	Vetoed
(de) Income maintenance county administration	GPR	A	20,931,400	21,020,500	in Part
(df) Employment and training programs	GPR	A	9,271,800	13,787,600	
(dg) State adoption center	GPR	A	65,000	65,000	
(dh) Programs for senior citizens	GPR	A	6,081,300	5,084,800	Vetoed
(dj) Elderly benefit specialist program	GPR	A	542,300	951,600	in Part
(dL) Indian aids	GPR	A	201,600	201,600	
(dm) Community-based residential facility receivership supplement	GPR	S	-0-	-0-	
(e) Other public assistance aids	GPR	S	6,383,100	6,708,500	Vetoed
(eb) General relief aid	GPR	A	23,382,300	22,748,300	in Part
(ec) Aids for interest on county					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	87 WisACT 27	
			1987-88	1988-89
construction loans	GPR	A	32,600	16,600
(ed) State supplement to federal supplemental security income program	GPR	S	91,424,100	98,084,000 Vetoed in Part
(eg) Programs for adolescents and adolescent parents	GPR	A	1,161,300	1,161,300
(g) Child support collections	PR	C	69,600,000	69,600,000
(ga) Community-based residential facility receivership operations	PR	C	-0-	-0-
(gg) Collection remittances to local units of government	PR	C	223,800	223,800
(hh) Domestic abuse assessment	PR	A	100,000	200,000
(hx) Services for drivers, receipts	PR	A	-0-	-0-
(hy) Services for drivers, local assistance	PR	A	4,330,300	4,330,300
(hz) Services for drivers, state operations	PR	A	91,000	91,000
(i) Gifts and grants	PR	C	69,000	69,000
(j) Child support state operations	PR	C	190,500	195,800
(jb) Fees for mailings, computer services and publications	PR	C	10,000	10,000
(jj) Searches for birth parents	PR	A	2,800	2,800
(jk) Youth diversion program	PR	A	250,000	250,000
(jm) Administrative and support services	PR	A	371,700	371,700
(k) Professional training	PR-S	A	-0-	-0-
(kc) Independent living center grants	PR-S	A	537,800	537,800
(km) Services for children outside departmental custody	PR-S	A	8,600	8,600
(kx) Interagency and intra-agency programs	PR-S	C	608,200	606,800
(ky) Interagency and intra-agency aids	PR-S	C	1,580,700	1,580,700
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(L) Welfare fraud and error reduction	PR	C	812,000	891,400
(m) Federal project operations	PR-F	C	2,522,600	2,415,400
(ma) Federal project aids	PR-F	C	2,115,900	2,157,700
(mb) Federal project local assistance	PR-F	C	807,600	807,600
(mc) Federal block grant operations	PR-F	C	8,214,500	8,214,500
(md) Federal block grant aids	PR-F	C	66,628,300	66,628,300
(n) Federal program operations	PR-F	C	30,149,400	30,360,500
(na) Federal program aids	PR-F	C	31,499,300	31,445,300
(nL) Federal program local assistance	PR-F	C	27,300,200	27,350,200
(o) Federal aid; community aids	PR-F	C	65,411,400	64,902,800
(oo) Federal aid; community youth and family aids	PR-F	C	2,449,200	2,449,200
(p) Federal aid; income maintenance payments	PR-F	C	347,538,900	349,869,000
(pd) Federal aid; state foster care and adoption services	PR-F	C	1,909,900	2,178,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(pm) Employment programs; administration	PR-F	C	7,742,900	7,935,300
(ps) Employment programs; aids	PR-F	C	8,686,300	8,966,900
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			674,934,000	693,195,100
PROGRAM REVENUE			681,762,800	684,651,300
FEDERAL	(		602,976,400)	(605,681,600)
OTHER	(		76,051,100)	(76,235,800)
SERVICE	(		2,735,300)	(2,733,900)
TOTAL-ALL SOURCES			1,356,696,800	1,377,846,400
(5) VOCATIONAL REHABILITATION SERVICES				
(a) General program operations	GPR	A	4,246,900	4,246,900 Vetoed in Part
(bm) Purchased services for clients	GPR	A	4,061,800	4,061,800
(c) Enterprises for the blind	GPR	A	912,000	100,000
(d) Telecommunication aid for the hearing impaired	GPR	A	80,000	80,000
(e) Principal repayment and interest	GPR	S	26,200	22,300
(gg) Contractual services	PR	C	-0-	-0-
(h) Supervised business enterprise program	PR	C	189,000	190,900
(hh) Interpreter services for hearing impaired	PR	A	100,000	100,000
(i) Gifts and grants	PR	C	52,000	52,000
(k) Interagency contractual services	PR-S	A	-0-	-0-
(kx) Interagency and intra-agency programs	PR-S	C	32,500	32,500
(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	819,700	834,700
(ma) Federal project aids	PR-F	C	413,700	425,400
(n) Federal program operations	PR-F	C	14,462,700	14,736,500
(na) Federal program aids	PR-F	C	15,780,200	15,780,200
(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			9,326,900	8,535,800
PROGRAM REVENUE			31,849,800	32,152,200
FEDERAL	(		31,476,300)	(31,776,800)
OTHER	(		341,000)	(342,900)
SERVICE	(		32,500)	(32,500)
TOTAL-ALL SOURCES			41,176,700	40,688,000
(8) GENERAL ADMINISTRATION				
(a) General program operations	GPR	A	13,015,600	13,010,700
(g) Legal services collections	PR	C	12,200	12,200
(i) Gifts and grants	PR	C	-0-	-0-
(k) Administrative and support services	PR-S	A	12,359,300	11,908,200
(kx) Interagency and intra-agency programs	PR-S	C	68,800	65,400
(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	83,700	22,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(n) Federal program operations	PR-F	C	453,000	428,700
(pz) Indirect cost reimbursements	PR-F	C	852,900	823,800
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			13,015,600	13,010,700
PROGRAM REVENUE			13,829,900	13,260,900
FEDERAL	(		1,389,600)	(1,275,100)
OTHER	(		12,200)	(12,200)
SERVICE	(		12,428,100)	(11,973,600)
TOTAL-ALL SOURCES			26,845,500	26,271,600
2 0 . 4 3 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,386,063,300	1,428,330,900
PROGRAM REVENUE			1,630,291,900	1,675,321,200
FEDERAL	(		1,387,474,900)	(1,431,569,800)
OTHER	(		208,019,300)	(208,668,900)
SERVICE	(		34,797,700)	(35,082,500)
SEGREGATED FUNDS			140,800	140,800
OTHER	(		140,800)	(140,800)
TOTAL-ALL SOURCES			3,016,496,000	3,103,792,900

20.440 Health and educational facilities authority

(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES

(a) General program operations	GPR	C	-0-	-0-
2 0 . 4 4 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-

20.442 Community development finance authority

(1) COMMUNITY DEVELOPMENT ASSISTANCE

(a) General program operations	GPR	A	-0-	-0-
(b) Loan from general fund	GPR	A	-0-	-0-
(c) Matching funds grants	GPR	A	150,000	150,000
2 0 . 4 4 2 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			150,000	150,000
TOTAL-ALL SOURCES			150,000	150,000

20.445 Industry, labor and human relations, department of

(1) INDUSTRY, LABOR AND HUMAN RELATIONS

(a) General program operations	GPR	A	4,441,700	4,423,300
(aa) Special death benefit	GPR	S	100,000	100,000
(bc) Assistance for dislocated workers	GPR	A	500,000	500,000
(c) Job center pilot projects	GPR	B	150,000	-0-
(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	48,600	48,600
(gb) Local agreements	PR	C	164,400	164,400
(gc) Unemployment administration	PR	C	-0-	-0-
(gd) Unemployment reserve interest payments	PR	C	21,861,900	20,964,800
(ge) Unemployment reserve fund research	PR	A	188,800	188,800
(gf) Employment security administration	PR	A	3,805,200	932,200
(gm) Employment training services	PR	C	2,556,600	2,556,600
(h) Local energy resource system fees	PR	A	-0-	-0-
(ha) Worker's compensation operations	PR	A	4,044,500	4,031,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(hb) Worker's compensation contracts	PR	C	44,300	44,300
(j) Safety and building operations	PR	A	9,069,000	9,049,400
(k) Fees	PR	C	46,500	46,500
(ka) Interagency agreements	PR-S	C	328,800	328,800
(kg) Administrative services for the work incentive demonstration program	PR-S	C	7,339,300	7,339,300
(kk) Services for the work incentive demonstration program	PR-S	C	5,794,200	5,794,200
(L) Fire dues distribution	PR	C	5,060,900	5,060,900
(La) Fire prevention and fire dues administration	PR	A	390,400	390,400
(m) Federal funds	PR-F	C	1,891,900	1,891,900
(ma) Federal aid--program administration	PR-F	C	8,007,600	8,007,600
(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	55,854,100	55,854,100
(na) Employment security buildings and equipment	PR-F	C	787,000	-0-
(pz) Indirect cost reimbursements	PR-F	C	234,400	234,400
(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) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			5,191,700	5,023,300
PROGRAM REVENUE			182,743,700	178,154,400
FEDERAL	(		121,982,300)	(121,195,300)
OTHER	(		47,299,100)	(43,496,800)
SERVICE	(		13,462,300)	(13,462,300)
SEGREGATED FUNDS			2,500,000	2,500,000
OTHER	(		2,500,000)	(2,500,000)
TOTAL-ALL SOURCES			190,435,400	185,677,700
(2) REVIEW COMMISSION				
(a) General program operations, review commission	GPR	A	82,200	82,200
(ha) Worker's compensation operations	PR	A	208,200	208,200
(m) Federal moneys	PR-F	C	73,600	73,600
(n) Unemployment administration; federal moneys	PR-F	C	1,035,700	1,035,700
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			82,200	82,200
PROGRAM REVENUE			1,317,500	1,317,500
FEDERAL	(		1,109,300)	(1,109,300)
OTHER	(		208,200)	(208,200)
TOTAL-ALL SOURCES			1,399,700	1,399,700
(4) ADJUDICATION OF CLAIMS				
(a) Administration of mining damage claims	GPR	A	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(b) Funding for mining damage claims	GPR	S	-0-	-0-
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
20.445 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,273,900	5,105,500
PROGRAM REVENUE			184,061,200	179,471,900
FEDERAL	(		123,091,600)	(122,304,600)
OTHER	(		47,507,300)	(43,705,000)
SERVICE	(		13,462,300)	(13,462,300)
SEGREGATED FUNDS			2,500,000	2,500,000
OTHER	(		2,500,000)	(2,500,000)
TOTAL-ALL SOURCES			191,835,100	187,077,400

20.455 Justice, department of

(1) LEGAL SERVICES				Vetoed
(a) General program operations	GPR	A	7,959,500	7,959,500 in Part
(b) Special counsel	GPR	B	314,000	218,000 Vetoed
(d) Legal expenses	GPR	A	716,700	716,700 in Part
(k) Environment litigation project	PR-S	C	75,000	75,000
(m) Federal aid	PR-F	C	412,100	412,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			8,990,200	8,911,500
PROGRAM REVENUE			487,100	487,100
FEDERAL	(		412,100)	(412,100)
SERVICE	(		75,000)	(75,000)
TOTAL-ALL SOURCES			9,477,300	9,398,600
(2) LAW ENFORCEMENT SERVICES				
(a) General program operations	GPR	A	7,666,100	7,597,900
(cm) Statistical Analysis Center	GPR	A	0	171,400 Vetoed
(b) Investigations and operations	GPR	A	70,500	70,500 in Part
(c) Crime laboratory equipment	GPR	A	-0-	-0-
(cm) Debt service	GPR	S	329,700	319,300
(d) Aid to counties for law enforcement	GPR	A	60,000	60,000
(gm) Criminal history search fees	PR	C	152,900	152,900
(h) Terminal charges	PR	A	1,484,200	1,654,800
(i) Penalty assessment surcharge, receipts	PR	A	-0-	-0-
(j) Law enforcement training fund, local assistance	PR	A	2,766,000	2,766,000
(ja) Law enforcement training fund, state operations	PR	A	1,712,700	1,751,900
(jb) Crime laboratory equipment	PR	B	159,100	159,100
(jc) Law enforcement assistance	PR	A	550,000	550,000 Vetoed
(k) Interagency and intra-agency assistance	PR-S	C	770,400	744,400 in Part
(m) Federal aid, state operations	PR-F	C	-0-	264,400
(n) Federal aid, local assistance	PR-F	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			8,126,300	8,222,100
PROGRAM REVENUE			7,395,300	7,843,500
FEDERAL	(		-0-)	(264,400)
OTHER	(		6,624,900)	(6,834,700)
SERVICE	(		770,400)	(744,400)
TOTAL-ALL SOURCES			15,521,600	16,065,600
(3) ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	2,116,200	2,116,200 Vetoed

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(g) Gifts, grants and proceeds	PR	C	-0-	-0-
(m) Federal aid	PR-F	C	44,300	44,300
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			2,116,200	2,162,500
PROGRAM REVENUE			44,300	44,300
FEDERAL	(		44,300) (	44,300)
OTHER	(		-0-) (	-0-)
TOTAL-ALL SOURCES			2,160,500	2,206,800
(4) TRUST LANDS AND INVESTMENT DIVISION				
(h) General program operations	PR	A	327,500	326,800
(m) Federal aid--flood control	PR-F	C	25,000	25,000
(4) P R O G R A M T O T A L S				
PROGRAM REVENUE			352,500	351,800
FEDERAL	(		25,000) (	25,000)
OTHER	(		327,500) (	326,800)
TOTAL-ALL SOURCES			352,500	351,800
(5) VICTIMS AND WITNESSES				
(a) General program operations	GPR	A	417,000	430,000 Vetoed in Part
(b) Awards for victims of crimes	GPR	A	930,000	930,000
(c) Reimbursement for victim and witness services	GPR	A	587,200	587,200
(g) Crime victim and witness assistance surcharge	PR	A	985,700	985,700
(h) Crime victim compensation services	PR	A	29,200	29,200
(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			1,934,200	1,937,200
PROGRAM REVENUE			2,100,200	2,100,200
FEDERAL	(		1,085,300) (	1,085,300)
OTHER	(		1,014,900) (	1,014,900)
TOTAL-ALL SOURCES			4,034,400	4,037,400
2 0 . 4 5 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			21,166,900	21,233,300
PROGRAM REVENUE			10,379,400	10,826,900
FEDERAL	(		1,566,700) (	1,831,100)
OTHER	(		7,967,300) (	8,176,400)
SERVICE	(		845,400) (	819,400)
TOTAL-ALL SOURCES			31,546,300	32,060,200
20.465 Military affairs, department of				
(1) NATIONAL GUARD OPERATIONS				
(a) General program operations	GPR	A	3,170,600	3,170,600 Vetoed in Part
(b) Repair and maintenance	GPR	A	186,700	186,700
(c) Public emergencies	GPR	S	61,500	61,500
(d) Principal repayment and interest	GPR	S	428,200	407,100
(e) State service flags	GPR	A	400	400
(f) Fuel and utilities	GPR	A	1,086,000	1,100,000 Vetoed in Part
(g) Military property	PR	A	85,000	85,000
(k) Armory store operations	PR-S	A	200,000	200,000
(m) Federal aid	PR-F	C	5,426,600	5,562,700
(q) Helicopter medical services and transportation	SEG	A	60,800	60,800
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			4,933,400	4,934,700
PROGRAM REVENUE			5,711,600	5,847,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
FEDERAL	(		5,426,600)	(5,562,700)
OTHER	(		85,000)	(85,000)
SERVICE	(		200,000)	(200,000)
SEGREGATED FUNDS			60,800	60,800
OTHER	(		60,800)	(60,800)
TOTAL-ALL SOURCES			10,705,800	10,843,200
(2) GUARD MEMBERS' BENEFITS				
(a) Tuition grants	GPR	A	20,000	20,000
	(2) P R O G R A M	T O T A L S		
GENERAL PURPOSE REVENUES			20,000	20,000
TOTAL-ALL SOURCES			20,000	20,000
20.465 DEPARTMENT		T O T A L S		
GENERAL PURPOSE REVENUES			4,953,400	4,954,700
PROGRAM REVENUE			5,711,600	5,847,700
FEDERAL	(		5,426,600)	(5,562,700)
OTHER	(		85,000)	(85,000)
SERVICE	(		200,000)	(200,000)
SEGREGATED FUNDS			60,800	60,800
OTHER	(		60,800)	(60,800)
TOTAL-ALL SOURCES			10,725,800	10,863,200

20.485 Veterans affairs, department of

(1) HOME FOR VETERANS

(b) General fund supplement to institutional operations	GPR	B	3,017,600	3,008,400
(c) Fuel and utilities	GPR	A	619,800	620,400
(d) Cemetery maintenance and beautification	GPR	A	24,900	24,900
(e) Lease rental payments	GPR	S	22,200	22,200
(f) Principal repayment and interest	GPR	S	434,500	415,300
(fa) Geriatric program	GPR	A	171,200	171,200
(g) Home exchange	PR	A	142,400	142,400
(gk) Institutional operations	PR	A	16,662,100	16,599,600
(h) Gifts and bequests	PR	C	141,900	141,900
(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-

Vetoed
in Part

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

GENERAL PURPOSE REVENUES			4,290,200	4,267,400
PROGRAM REVENUE			16,946,400	16,883,900
FEDERAL	(		-0-)	(-0-)
OTHER	(		16,946,400)	(16,883,900)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			21,236,600	21,151,300

(2) LOANS AND AIDS TO VETERANS

(db) General fund supplement to veterans trust fund	GPR	A	965,100	956,600
(m) Federal aid projects	PR-F	C	-0-	-0-
(q) Vietnam veteran educational grants	SEG	A	127,500	108,400
(u) Administration of loans and aids to veterans	SEG	A	1,950,800	1,960,900

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(v) Memorial hall sales receipts	SEG	C	15,000	15,000
(vm) Veterans aids and treatment	SEG	A	1,333,400	1,325,000
(vn) Grants to veterans organizations	SEG	A	300,000	300,000
(vw) Payments to veterans organizations for claims service	SEG	A	48,000	48,000
(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	66,500	66,500
(y) Veterans loans and expense	SEG	A	5,010,100	5,464,900
(z) Gifts	SEG	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			965,100	956,600
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-
SEGREGATED FUNDS			8,940,300	9,377,700
OTHER	(		8,940,300)	9,377,700)
TOTAL-ALL SOURCES			9,905,400	10,334,300
(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	800,000	800,000
(r) Funded reserves	SEG	C	50,000	50,000
(rm) Other reserves	SEG	C	14,371,000	12,197,000
(s) General program operations	SEG	A	1,846,400	1,848,800
(sm) County grants	SEG	A	84,000	84,000
(t) Debt service	SEG	C	129,816,700	129,414,300
(u) Revenue obligation supplement	SEG	C	-0-	-0-
(v) Revenue obligation repayment	SEG	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			146,968,100	144,394,100
OTHER	(		146,968,100)	144,394,100)
TOTAL-ALL SOURCES			146,968,100	144,394,100
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			5,255,300	5,224,000
PROGRAM REVENUE			16,946,400	16,883,900
FEDERAL	(		-0-)	-0-
OTHER	(		16,946,400)	16,883,900)
SEGREGATED FUNDS			155,908,400	153,771,800
OTHER	(		155,908,400)	153,771,800)
TOTAL-ALL SOURCES			178,110,100	175,879,700

20.490 Wisconsin housing and economic development authority

(1) FACILITATION OF CONSTRUCTION OF HOUSING

(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
(1) PROGRAM TOTALS				

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) PROGRAM TOTALS				

GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(-0-)	-0-
TOTAL-ALL SOURCES			-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(3) AGRICULTURAL PRODUCTION LOAN GUARANTEE				
(a) Agricultural production loan fund	GPR	C	-0-	-0-
(b) Agricultural production loan interest reduction	GPR	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
20.490 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

Human Relations and Resources

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			1,425,957,900	1,467,808,000
PROGRAM REVENUE			1,854,075,800	1,889,180,600
FEDERAL	(		1,522,659,200)	(1,561,268,200)
OTHER	(		281,876,700)	(278,207,000)
SERVICE	(		49,539,900)	(49,705,400)
SEGREGATED FUNDS			158,610,000	156,473,400
FEDERAL	(		-0-)	(-0-)
OTHER	(		158,610,000)	(156,473,400)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			3,438,643,700	3,513,462,000

General Executive

20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT

(a) General program operations	GPR	A	12,181,400	11,481,300
(b) Midwest interstate low-level radioactive waste compact; loan from gen. fund	GPR	C	15,900	15,900 Vetoed in Part
(d) Energy development and demonstration fund	GPR	A	-0-	-0-
(g) Midwest interstate low-level radioactive waste compact; membership & costs	PR	A	49,800	60,700
(i) Services to nonstate governmental units	PR	A	-0-	-0-
(im) Services to nonstate governmental units	PR	A	1,240,400	1,217,800
(j) Gifts and donations	PR	C	-0-	-0-
(jm) Acid deposition activities	PR	A	46,000	46,000
(ka) Materials and services to state agencies	PR-S	A	6,032,900	5,887,500
(kb) Fleet services	PR-S	A	9,683,500	6,940,100
(kc) Building construction services	PR-S	A	2,418,800	2,418,800
(kd) Printing services	PR-S	A	4,794,600	4,794,600
(ke) State telecommunications system	PR-S	A	15,481,200	15,481,200
(kg) Records, microfilm and forms services	PR-S	A	1,179,200	1,099,400
(kh) Records storage and microfilm service	PR-S	A	-0-	-0-
(ki) Risk management	PR-S	A	1,908,000	1,908,000

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(ma) Federal grants and contracts	PR-F	C	-0-	-0-
(mb) Federal energy grants and contracts	PR-F	C	1,024,700	1,024,700
(mc) Coastal zone management	PR-F	C	910,000	910,000
(md) Oil overcharge restitution funds	PR-F	C	-0-	-0-
(n) Federal aid; local assistance	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	97,500	97,500
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			12,197,300	11,500,800
PROGRAM REVENUE			44,866,600	41,886,300
FEDERAL	(		2,032,200)	(2,032,200)
OTHER	(		1,336,200)	(1,324,500)
SERVICE	(		41,498,200)	(38,529,600)
TOTAL-ALL SOURCES			57,063,900	53,387,100
(2) EMERGENCY GOVERNMENT SERVICES				
(a) General program operations	GPR	A	636,200	636,200
(e) Disaster recovery aid	GPR	C	1,030,000	5,500
(g) Program services	PR	A	390,100	398,200
(m) Federal aid, state operations	PR-F	C	1,365,500	1,365,500
(n) Federal aid, local assistance	PR-F	C	1,391,200	1,391,200
(o) Federal aid, individuals and organizations	PR-F	C	22,000	22,000
(q) Civil air patrol aids	SEG	A	19,000	19,000
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,666,200	641,700
PROGRAM REVENUE			3,168,800	3,176,900
FEDERAL	(		2,778,700)	(2,778,700)
OTHER	(		390,100)	(398,200)
SEGREGATED FUNDS			19,000	19,000
OTHER	(		19,000)	(19,000)
TOTAL-ALL SOURCES			4,854,000	3,837,600
(3) COMMITTEES AND INTERSTATE BODIES				
(a) General program operations	GPR	A	139,200	139,200
(b) Women's council operations	GPR	A	225,300	225,300
(e) Mediation office operations	GPR	A	-0-	-0-
(g) Gifts and grants	PR	C	-0-	-0-
(h) Program fees	PR	A	6,100	6,100
(m) Federal aid	PR-F	C	-0-	-0-
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			364,500	435,500
PROGRAM REVENUE			6,100	6,100
FEDERAL	(		-0-)	(-0-)
OTHER	(		6,100)	(6,100)
TOTAL-ALL SOURCES			370,600	441,600
(4) ATTACHED DIVISIONS, BOARDS AND COMMISSIONS				
(a) Adjudication of tax appeals	GPR	A	527,900	527,900
(b) Adjudication of equalization appeals	GPR	S	-0-	-0-
(c) Claims board; general program operations	GPR	A	24,500	24,500
(d) Claims awards	GPR	S	18,800	18,800
(dm) Sentencing commission; general program operations	GPR	A	199,800	199,800
(ea) Radioactive waste review board operations	GPR	A	153,400	153,400
(eb) Waste facility siting board administrative expenses	GPR	A	75,000	75,000
(f) Hearings and appeals				

Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
operations	GPR	A	232,400	232,400
(g) Gifts and grants	PR	C	-0-	-0-
(gm) Sentencing commission; gifts and grants	PR	C	-0-	-0-
(h) Program services	PR	A	26,000	26,000
(m) Federal aid	PR-F	C	-0-	-0-
(mm) Sentencing commission; federal aid	PR-F	C	-0-	-0-
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,231,800	1,231,800
PROGRAM REVENUE			26,000	26,000
FEDERAL	(		-0-)	(-0-)
OTHER	(		26,000)	(26,000)
TOTAL-ALL SOURCES			1,257,800	1,257,800
(5) FACILITIES MANAGEMENT				
(ka) Facility operations and maintenance	PR-S	A	17,051,400	17,051,400
(kb) Lease rental payments	PR-S	C	137,000	137,000
(kc) Principal repayment and interest	PR-S	C	6,403,800	6,146,400
(5) P R O G R A M T O T A L S				
PROGRAM REVENUE			23,592,200	23,334,800
SERVICE	(		23,592,200)	(23,334,800)
TOTAL-ALL SOURCES			23,592,200	23,334,800
(6) OFFICE OF JUSTICE ASSISTANCE				
(a) General program operations	GPR	A	-0-	99,400 Vetoed in Part
(g) Anti-drug enforcement program, aids and local assistance	PR	C	-0-	449,600
(h) Anti-drug enforcement program, state operations	PR	C	-0-	596,100
(k) Interagency and intra-agency assistance	PR-S	C	-0-	110,000
(m) Federal aid, planning and administration, state operations	PR-F	C	-0-	139,700
(o) Federal aid, criminal justice improvement projects, state operations	PR-F	C	-0-	27,600
(p) Federal aid, criminal justice improvement projects, local assistance	PR-F	C	-0-	1,021,900
(pa) Federal aid, criminal justice improvement projects, aid to organizations	PR-F	C	-0-	181,800
(pb) Federal aid, anti-drug enforcement program, aids and local assistance	PR-F	C	-0-	2,248,100
(pc) Federal aid, anti-drug enforcement program, state operations	PR-F	C	-0-	1,215,900
(6) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			-0-	92,400
PROGRAM REVENUE			-0-	5,990,700
FEDERAL	(		-0-)	(4,835,000)
OTHER	(-0-)	(1,045,700)
SERVICE	(-0-)	(110,000)
TOTAL-ALL SOURCES			-0-	6,083,100
2 0 . 5 0 5 D E P A R T M E N T T O T A L S				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
GENERAL PURPOSE REVENUES			15,459,800	13,902,200
PROGRAM REVENUE			71,659,700	74,420,800
FEDERAL	(		4,810,900)	(9,645,900)
OTHER	(		1,758,400)	(2,800,500)
SERVICE	(		65,090,400)	(61,974,400)
SEGREGATED FUNDS			19,000	19,000
OTHER	(		19,000)	(19,000)
TOTAL-ALL SOURCES			87,138,500	88,342,000

20.510 Elections board

(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS

(a) General program operations	GPR	B	442,200	393,100
(g) Recount fees	PR	C	-0-	-0-
(q) Wisconsin election campaign fund	SEG	C	100,000	1,400,000
2 0 . 5 1 0 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			442,200	393,100
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			100,000	1,400,000
OTHER	(		100,000)	(1,400,000)
TOTAL-ALL SOURCES			542,200	1,793,100

20.512 Employment relations, department of

(1) EMPLOYMENT RELATIONS

(a) General program operations	GPR	A	4,359,200	4,232,900
(b) Day care services	GPR	A	47,300	47,300
(i) Services to nonstate governmental units	PR	A	96,900	100,400
(j) Gifts and donations	PR	C	-0-	-0-
(k) Employee development and training services	PR-S	A	722,900	723,000
(ka) Publications	PR-S	A	90,000	90,000
(m) Federal grants and contracts	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-

Vetoed
in Part

(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			4,406,500	4,241,900
PROGRAM REVENUE			909,800	913,400
FEDERAL	(		-0-)	(-0-)
OTHER	(		96,900)	(100,400)
SERVICE	(		812,900)	(813,000)
TOTAL-ALL SOURCES			5,316,300	5,155,300

(2) AFFIRMATIVE ACTION COUNCIL

(a) General program operations	GPR	A	8,700	8,700
(j) Gifts and donations	PR	C	-0-	-0-
(m) Federal grants and contracts	PR-F	C	-0-	-0-

(2) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			8,700	8,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			8,700	8,700

2 0 . 5 1 2 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			4,415,200	4,250,600
PROGRAM REVENUE			909,800	913,400
FEDERAL	(		-0-)	(-0-)
OTHER	(		96,900)	(100,400)
SERVICE	(		812,900)	(813,000)
TOTAL-ALL SOURCES			5,325,000	5,164,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
20.515 Employee trust funds, department of				
(1) EMPLOYE BENEFIT PLANS				
(a) Annuity supplements and payments	GPR	S	225,000	200,000
(c) Contingencies	GPR	S	-0-	-0-
(t) Automated operating system	SEG	C	-0-	-0-
(w) Administration	SEG	A	6,798,300	6,750,000
20.515 DEPARTMENT			TOTALS	
GENERAL PURPOSE REVENUES			225,000	200,000
SEGREGATED FUNDS			6,798,300	6,750,000
OTHER			(6,798,300)	(6,750,000)
TOTAL-ALL SOURCES			7,023,300	6,950,000
20.521 Ethics board				
(1) CODE OF ETHICS				
(a) General program operations	GPR	A	138,700	138,700
(g) Gifts and grants	PR	C	-0-	-0-
20.521 DEPARTMENT			TOTALS	
GENERAL PURPOSE REVENUES			138,700	138,700
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			138,700	138,700
20.525 Office of the governor				
(1) EXECUTIVE ADMINISTRATION				
(a) General program operations	GPR	S	1,352,300	1,352,300
(b) Contingent fund	GPR	S	21,700	21,700
(c) Membership in national associations	GPR	S	78,800	78,800
(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			1,452,800	1,452,800
PROGRAM REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			1,452,800	1,452,800
(2) EXECUTIVE RESIDENCE				
(a) General program operations	GPR	S	132,600	132,600
(2) PROGRAM			TOTALS	
GENERAL PURPOSE REVENUES			132,600	132,600
TOTAL-ALL SOURCES			132,600	132,600
20.525 DEPARTMENT			TOTALS	
GENERAL PURPOSE REVENUES			1,585,400	1,585,400
PROGRAM REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			1,585,400	1,585,400
20.536 Investment board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR-S	A	3,139,800	3,144,700
20.536 DEPARTMENT			TOTALS	
PROGRAM REVENUE			3,139,800	3,144,700
SERVICE			(3,139,800)	(3,144,700)
TOTAL-ALL SOURCES			3,139,800	3,144,700
20.540 Office of the lieutenant governor				
(1) EXECUTIVE COORDINATION				
(a) General program operations	GPR	A	295,000	293,000
(g) Gifts, grants and proceeds	PR	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(m) Federal aid	PR-F	C	-0-	-0-
20.540 DEPARTMENT		TOTALS		
GENERAL PURPOSE REVENUES			295,000	293,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		(-0-)	(-0-)
OTHER	(		(-0-)	(-0-)
TOTAL-ALL SOURCES			295,000	293,000
20.546 Personnel board				
(1) PERSONNEL REGULATION				
(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
20.547 Personnel commission				
(1) REVIEW OF PERSONNEL DECISIONS				
(a) General program operations	GPR	A	496,800	496,800
(m) Federal aid	PR-F	C	-0-	-0-
20.547 DEPARTMENT		TOTALS		
GENERAL PURPOSE REVENUES			496,800	496,800
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		(-0-)	(-0-)
TOTAL-ALL SOURCES			496,800	496,800
20.550 Public defender board				
(1) LEGAL ASSISTANCE				
(a) Program administration	GPR	A	462,000	462,000
(b) Appellate representation	GPR	A	1,803,000	1,803,000 Vetoed
(c) Trial representation	GPR	A	13,673,500	13,711,800 in Part
(d) Private bar and investigator reimbursement	GPR	A	9,015,800	9,732,600
(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			24,954,300	25,716,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		(-0-)	(-0-)
OTHER	(		(-0-)	(-0-)
SERVICE	(		(-0-)	(-0-)
TOTAL-ALL SOURCES			24,954,300	25,716,700
20.566 Revenue, department of				
(1) COLLECTION OF STATE TAXES				
(a) General program operations	GPR	A	29,027,700	29,054,400 Vetoed in Part
(g) Administration of county sales and use taxes	PR	A	176,400	176,400
(h) Debt collection	PR	A	100,000	100,000
(ha) Administration of liquor tax	PR	A	293,900	294,000
(hm) Collections from nonresidents	PR	S	350,000	350,000
(hp) Administration of endangered resources voluntary payments	PR	A	16,900	16,900
(hq) Delinquent tax collection fees	PR	C	262,600	293,000
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(u) Motor fuel tax administration	SEG	A	764,200	764,200
(1) PROGRAM		TOTALS		
GENERAL PURPOSE REVENUES			29,027,700	29,054,400
PROGRAM REVENUE			1,199,800	1,230,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
FEDERAL	(		-0-)	(-0-)
OTHER	(		1,199,800)	(1,230,300)
SEGREGATED FUNDS			764,200	764,200
OTHER	(		764,200)	(764,200)
TOTAL-ALL SOURCES			30,991,700	31,048,900
(2) STATE AND LOCAL FINANCE				
(a) General program operations	GPR	A	7,428,700	7,453,100 Vetoed in Part
(gi) Municipal finance report compliance	PR	A	40,000	40,000
(h) Reassessments	PR	A	329,300	329,300
(hi) Wisconsin property assessment manual	PR	A	126,400	76,900
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(q) Railroad and air carrier tax administration	SEG	A	55,600	55,600
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			7,428,700	7,453,100
PROGRAM REVENUE			495,700	446,200
FEDERAL	(		-0-)	(-0-)
OTHER	(		495,700)	(446,200)
SEGREGATED FUNDS			55,600	55,600
OTHER	(		55,600)	(55,600)
TOTAL-ALL SOURCES			7,980,000	7,954,900
(3) ADMINISTRATIVE SERVICES				
(a) General program operations	GPR	A	9,979,600	10,147,000 Vetoed in Part
(c) Expert professional services	GPR	A	10,000	10,000
(g) Services	PR	A	55,000	55,000
(gm) Reciprocity agreement and publications	PR	A	39,600	39,600
(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			9,989,600	10,157,000
PROGRAM REVENUE			104,600	104,600
FEDERAL	(		-0-)	(-0-)
OTHER	(		104,600)	(104,600)
TOTAL-ALL SOURCES			10,094,200	10,261,600
(7) INVESTMENT AND LOCAL IMPACT FUND				
(a) Investment and local impact fund administrative expenses	GPR	A	-0-	-0-
(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			-0-	-0-
PROGRAM REVENUE			-0-	-0-
FEDERAL	(-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(8) PROPERTY TAX DEFERRAL				
(q) Program administration	SEG	A	73,100	73,100
(w) Revenue obligation repayment	SEG	C	-0-	-0-
(wa) Elderly property tax deferral loans	SEG	S	-0-	-0-
(8) P R O G R A M T O T A L S				
SEGREGATED FUNDS			73,100	73,100
OTHER	(		73,100)	(73,100)
TOTAL-ALL SOURCES			73,100	73,100
2 0 . 5 6 6 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			46,446,000	46,664,500
PROGRAM REVENUE			1,800,100	1,781,100
FEDERAL	(		-0-)	(-0-)
OTHER	(		1,800,100)	(1,781,100)
SEGREGATED FUNDS			892,900	892,900
OTHER	(		892,900)	(892,900)
TOTAL-ALL SOURCES			49,139,000	49,338,500

20.575 Secretary of state

(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
(a) General program operations	GPR	A	735,000	735,000 Vetoed in Part
(g) Program fees	PR	A	655,100	591,900
(gb) Expedited service and telephone application for reservation of name	PR	A	44,000	44,000
(h) Search fees	PR	A	112,700	95,200
(i) Uniform commercial code statewide lien system fees	PR	A	22,700	22,700
(ka) Agency collections	PR-S	A	47,400	47,400
2 0 . 5 7 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			735,000	748,600
PROGRAM REVENUE			881,900	801,200
OTHER	(		834,500)	(753,800)
SERVICE	(		47,400)	(47,400)
TOTAL-ALL SOURCES			1,616,900	1,549,800

20.585 Treasurer, state

(1) CUSTODIAN OF STATE FUNDS				
(a) General program operations	GPR	A	425,500	425,500
(b) Insurance	GPR	A	-0-	-0-
(e) Unclaimed property; contingency appropriation	GPR	S	-0-	-0-
(g) Processing services	PR	A	26,000	26,000
(j) Unclaimed property; claims and administrative expenses	PR	C	100,500	100,500
(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			425,500	425,500
PROGRAM REVENUE			126,500	126,500
OTHER	(		126,500)	(126,500)
TOTAL-ALL SOURCES			552,000	552,000

General Executive Functions
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			95,622,900	94,819,100
PROGRAM REVENUE			78,517,800	81,187,700
FEDERAL	(		4,810,900)	(9,645,900)
OTHER	(		4,616,400)	(5,562,300)
SERVICE	(		69,090,500)	(65,979,500)
SEGREGATED FUNDS			7,810,200	9,061,900
FEDERAL	(		-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
OTHER	(		7,810,200)	(9,061,900)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			181,950,900	185,068,700

Judicial

20.625 Circuit courts

(1) COURT OPERATIONS

(a) Circuit courts	GPR	S	26,421,000	26,421,000
(b) Permanent reserve judges	GPR	A	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-

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

GENERAL PURPOSE REVENUES			26,421,000	26,421,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			26,421,000	26,421,000

(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES

(a) General program operations	GPR	S	-0-	-0-
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(3) P R O G R A M T O T A L S

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

2 0 . 6 2 5 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES			26,421,000	26,421,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			26,421,000	26,421,000

20.645 Judicial council

(1) ADVISORY SERVICES TO THE COURTS AND LEGISLATURE

(a) General program operations	GPR	A	108,100	108,100
(m) Federal aid	PR-F	C	-0-	-0-

2 0 . 6 4 5 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES			108,100	108,100
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			108,100	108,100

20.660 Court of appeals

(1) APPELLATE PROCEEDINGS

(a) General program operations	GPR	S	3,254,100	3,235,500
(m) Federal aid	PR-F	C	-0-	-0-

2 0 . 6 6 0 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES			3,254,100	3,235,500
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			3,254,100	3,235,500

20.665 Judicial commission

(1) JUDICIAL CONDUCT

(a) General program operations	GPR	A	112,300	112,300
(cm) Contractual agreements	GPR	A	33,400	33,400
(mm) Federal aid	PR-F	C	-0-	-0-

2 0 . 6 6 5 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES			145,700	145,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			145,700	145,700

20.680 Supreme court

(1) SUPREME COURT PROCEEDINGS

(a) General program operations	GPR	S	2,056,200	2,045,400
(m) Federal aid	PR-F	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			2,056,200	2,045,400
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			2,056,200	2,045,400
(2) DIRECTOR OF STATE COURTS				
(a) General program operations	GPR	A	3,041,900	3,414,500 Vetoed in Part
(b) Judicial planning and research	GPR	A	-0-	-0-
(g) Gifts and grants	PR	C	-0-	-0-
(h) Materials and services	PR	A	6,700	6,700
(i) Municipal judge training	PR	A	55,400	55,400
(k) Data processing services	PR-S	A	31,200	31,200
(m) Federal aid	PR-F	C	-0-	-0-
(qm) Mediation fund	SEG	C	570,700	570,700
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,041,900	3,414,500
PROGRAM REVENUE			93,300	93,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		62,100)	(62,100)
SERVICE	(		31,200)	(31,200)
SEGREGATED FUNDS			570,700	570,700
OTHER	(		570,700)	(570,700)
TOTAL-ALL SOURCES			3,705,900	4,078,500
(3) PROFESSIONAL COMPETENCE AND RESPONSIBILITY				
(g) Board of attorneys professional competence	PR	C	209,400	209,400
(h) Board of attorneys professional responsibility	PR	C	663,300	663,300
(3) P R O G R A M T O T A L S				
PROGRAM REVENUE			872,700	872,700
OTHER	(		872,700)	(872,700)
TOTAL-ALL SOURCES			872,700	872,700
(4) LAW LIBRARY				
(a) General program operations	GPR	A	553,700	548,100
(g) Library collections and services	PR	A	35,600	35,600
(h) Gifts and grants	PR	C	-0-	-0-
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			553,700	548,100
PROGRAM REVENUE			35,600	35,600
OTHER	(		35,600)	(35,600)
TOTAL-ALL SOURCES			589,300	583,700
2 0 . 6 8 0 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			5,651,800	6,008,000
PROGRAM REVENUE			1,001,600	1,001,600
FEDERAL	(		-0-)	(-0-)
OTHER	(		970,400)	(970,400)
SERVICE	(		31,200)	(31,200)
SEGREGATED FUNDS			570,700	570,700
OTHER	(		570,700)	(570,700)
TOTAL-ALL SOURCES			7,224,100	7,580,300
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			35,580,700	35,918,300
PROGRAM REVENUE			1,001,600	1,001,600
FEDERAL	(		-0-)	(-0-)
OTHER	(		970,400)	(970,400)
SERVICE	(		31,200)	(31,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
SEGREGATED FUNDS			570,700	570,700
FEDERAL	(		-0-)	(-0-)
OTHER	(		570,700)	(570,700)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			37,153,000	37,490,600

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a) General program operations-- assembly	GPR	S	10,733,300	10,733,300
(b) General program operations-- senate	GPR	S	7,375,200	7,361,800
(c) Contingent expenses	GPR	B	12,500	12,500
(d) Legislative documents	GPR	S	2,937,000	2,937,000 Vetoed in Part
(1) P R O G R A M T O T A L S			21,058,000	22,014,000
GENERAL PURPOSE REVENUES			21,058,000	22,014,000
TOTAL-ALL SOURCES			21,058,000	22,014,000

(2) SPECIAL STUDY GROUPS

(a) Retirement committees	GPR	A	120,700	120,400
(ab) Retirement actuarial studies	GPR	B	6,000	6,000
(b) Commission on uniform state laws	GPR	B	19,100	19,100 Vetoed in Part
(2) P R O G R A M T O T A L S			145,800	145,900
GENERAL PURPOSE REVENUES			145,800	145,900
TOTAL-ALL SOURCES			145,800	145,900

(3) LEGISLATIVE SERVICE AGENCIES

(a) Revisor of statutes bureau	GPR	B	388,000	388,000
(b) Legislative reference bureau	GPR	B	1,733,300	1,733,300
(c) Legislative audit bureau	GPR	B	2,284,500	2,284,500
(d) Legislative fiscal bureau	GPR	B	1,334,800	1,334,800 Vetoed in Part
(e) Legislative council	GPR	B	1,549,200	1,549,200 Vetoed in Part
(ec) Council contingent expenses	GPR	B	500	500 Vetoed in Part
(f) Joint committee on legislative organization	GPR	B	-0-	-0-
(fa) Membership in national associations	GPR	S	145,300	145,300 Vetoed in Part
(g) Gifts and grants to service agencies	PR	C	-0-	-0-
(ka) Charges for requested audits	PR-S	A	429,300	450,500
(m) Federal aid	PR-F	C	-0-	-0-
(3) P R O G R A M T O T A L S			7,435,600	7,494,000
GENERAL PURPOSE REVENUES			7,435,600	7,494,000
PROGRAM REVENUE			429,300	450,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		429,300)	(450,500)
TOTAL-ALL SOURCES			7,864,900	7,944,500

20.765 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			28,639,400	29,653,900
PROGRAM REVENUE			429,300	450,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		429,300)	(450,500)
TOTAL-ALL SOURCES			29,068,700	30,104,400

Legislative

FUNCTIONAL AREA TOTALS

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
GENERAL PURPOSE REVENUES			28,639,400	29,653,900
PROGRAM REVENUE			429,300	450,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		429,300)	(450,500)
SEGREGATED FUNDS			-0-	-0-
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			29,068,700	30,104,400

General Appropriations

20.835 Shared revenue and tax relief

(1) SHARED REVENUE ACCOUNT AND MINIMUM PAYMENTS

(d) Shared revenue account	GPR	S	779,360,000	791,360,000
(e) Corrections of shared revenue payments	GPR	S	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			779,360,000	791,360,000
TOTAL-ALL SOURCES			779,360,000	791,360,000

(2) TAX RELIEF

(b) Omitted personal property	GPR	S	-0-	-0-
(bm) Omitted personal property	GPR	S	-0-	-0-
(c) Homestead tax credit	GPR	S	105,360,000	108,060,000
(ch) Employee tax credit	GPR	S	-0-	-0-
(dm) Farm property tax credit	GPR	S	44,510,000	50,375,000
(ep) Cigarette tax and tobacco products tax refunds	GPR	S	3,100,000	3,100,000
(eq) Sales tax refunds	GPR	S	50,000	50,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			153,020,000	161,585,000
TOTAL-ALL SOURCES			153,020,000	161,585,000

(3) STATE PROPERTY TAX CREDITS

(a) General government tax credit	GPR	S	146,712,600	146,712,600
(b) School levy tax credit	GPR	S	172,592,400	172,592,400
(d) Corrections of state property tax credit payments	GPR	S	-0-	-0-

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			319,305,000	319,305,000
TOTAL-ALL SOURCES			319,305,000	319,305,000

(4) COUNTY TAXES

(g) County taxes	PR	C	-0-	-0-
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(4) PROGRAM TOTALS

PROGRAM REVENUE			-0-	-0-
OTHER	(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

(5) PAYMENTS IN LIEU OF TAXES

(a) Payments for municipal services	GPR	A	10,900,000	12,150,000
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(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			10,900,000	12,150,000
TOTAL-ALL SOURCES			10,900,000	12,150,000

20.835 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			1,262,585,000	1,284,400,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			1,262,585,000	1,284,400,000

Vetoed in Part
Vetoed in Part
Vetoed in Part
Vetoed in Part

Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
20.855 Miscellaneous appropriations				
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
(a) Obligation on operating notes	GPR	S	14,200,000	10,700,000
(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-
(q) Redemption of operating notes	SEG	S	-0-	-0-
(r) Interest payments to general fund	SEG	S	-0-	-0-
(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			14,325,000	10,825,000
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			14,325,000	10,825,000
(4) TAX AND ASSISTANCE PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	200,000	200,000
(b) Election campaign payments	GPR	S	475,000	475,000
(c) Minnesota income tax reciprocity	GPR	S	16,700,000	16,700,000
(ca) Minnesota income tax reciprocity bench mark	GPR	A	-0-	-0-
(f) County assessment aid	GPR	S	600,000	600,000
(fa) General fund loan to the investment and local impact fund board	GPR	C	-0-	-0-
(fc) Badger state games assistance	GPR	A	35,000	-0-
(q) Terminal tax distribution	SEG	S	1,035,000	1,056,000
(s) Transfer to conservation fund; motorboat formula	SEG	S	4,789,700	5,559,700
(4) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			18,010,000	17,975,000
SEGREGATED FUNDS			5,824,700	6,615,700
OTHER	(		5,824,700)	(6,615,700)
TOTAL-ALL SOURCES			23,834,700	24,590,700
(5) STATE HOUSING AUTHORITY RESERVE FUND				
(a) Enhancement of credit of authority debt	GPR	A	-0-	-0-
(5) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			-0-	-0-
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) P R O G R A M			T O T A L S	
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-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(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	17,254,000	17,254,000
(ka) Hill farms regional data processing service center	PR-S	A	17,776,600	17,776,600
(kb) GEF regional data processing service center	PR-S	A	-0-	-0-
(8) PROGRAM TOTALS				
PROGRAM REVENUE			35,030,600	35,030,600
SERVICE	(		35,030,600)	(35,030,600)
TOTAL-ALL SOURCES			35,030,600	35,030,600
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			32,335,000	28,800,000
PROGRAM REVENUE			35,030,600	35,030,600
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		35,030,600)	(35,030,600)
SEGREGATED FUNDS			5,824,700	6,615,700
OTHER	(		5,824,700)	(6,615,700)
TOTAL-ALL SOURCES			73,190,300	70,446,300

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	6,704,100	7,569,500
(f) Risk management--state property	GPR	S	2,610,400	2,755,900
(fm) Risk management--liability	GPR	S	2,687,400	2,916,900
(fn) Physically handicapped supplements	GPR	A	6,900	6,900
(g) Judgments and legal expenses; 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;				

Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
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			12,058,800	13,069,200
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			12,058,800	13,069,200
(2) CONTRACTUAL SERVICES				
(a) Space management supplements	GPR	A	599,900	540,200 Vetoed in Part
(ag) State-owned office rent supplement	GPR	A	461,300	461,300
(d) State deposit fund	GPR	S	-0-	-0-
(e) Maintenance of capitol and executive residence	GPR	A	2,891,300	2,891,300
(eb) Executive residence furnishings replacement	GPR	C	25,000	25,000
(em) Groundwater survey and analysis	GPR	A	231,200	231,200
(g) Space management supplements; 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			4,208,700	4,449,000
PROGRAM REVENUE			-0-	-0-
OTHER	(-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(-0-)	-0-)
TOTAL-ALL SOURCES			4,208,700	4,449,000

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
(3) TAXES, ASSESSMENTS AND SPECIAL CHARGES				
(a) Property taxes	GPR	S	-0-	-0-
(b) Assessments	GPR	A	450,000	300,000
(g) Property taxes; program revenues	PR	S	-0-	-0-
(h) Assessments; program revenues	PR	S	-0-	-0-
(i) Payments for municipal services; program revenues	PR	S	-0-	-0-
(q) Property taxes; segregated revenues	SEG	S	-0-	-0-
(r) Assessments; segregated revenues	SEG	S	-0-	-0-
(s) Payments for municipal services; segregated revenues	SEG	S	-0-	-0-
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			450,000	300,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			450,000	300,000
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds general program supplementation	GPR	B	460,200	460,200
(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			460,200	460,200
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			460,200	460,200
(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS				
(g) Supplementation of program revenue and program rev.-service appropriations	PR	S	-0-	-0-
(8) P R O G R A M T O T A L S				
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.865 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			17,177,700	18,278,400
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			17,177,700	18,278,400
20.866 Public debt				
(1) BOND SECURITY AND REDEMPTION FUND				
(u) Principal repayment and interest	SEG	S	331,673,900	346,126,600
Allocated from agency appropriations	SEG	S	-331,673,900	-346,126,600
NET APPROPRIATION			-0-	-0-
20.866 DEPARTMENT TOTALS				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.867 Building commission				
(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	1,073,200	1,035,600
(1) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			1,073,200	1,035,600
TOTAL-ALL SOURCES			1,073,200	1,035,600
(2) BUILDING TRUST FUND				
(b) Asbestos removal	GPR	A	250,000	250,000 Vetoed in Part
(c) Hazardous materials removal	GPR	A	675,000	675,000
(d) Minimum health and safety maintenance	GPR	A	925,000	925,000
(f) Facilities maintenance and improvement	GPR	C	250,000	250,000 Vetoed in Part
(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	-0-	-0-
(2) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			2,100,000	2,900,000
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			2,100,000	2,900,000
(3) STATE BUILDING PROGRAM				
(a) Principal repayment and interest	GPR	S	356,700	356,700 Vetoed in Part
(b) Principal repayment and interest	GPR	S	470,900	454,400
(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	2,508,600	2,357,400
(w) Bonding services	SEG	S	611,200	611,200
(3) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			827,600	4,204,400
PROGRAM REVENUE			2,508,600	2,357,400
SERVICE	(		2,508,600)	2,357,400)
SEGREGATED FUNDS			611,200	611,200
OTHER	(		611,200)	611,200)
TOTAL-ALL SOURCES			3,947,400	7,173,000
(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) P R O G R A M		T O T A L S		
SEGREGATED FUNDS			-0-	-0-
OTHER	(-0-)	-0-)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1987-88	1988-89
TOTAL-ALL SOURCES			-0-	-0-
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			4,000,800	8,140,000
PROGRAM REVENUE			2,508,600	2,357,400
SERVICE	(		2,508,600)	(2,357,400)
SEGREGATED FUNDS			611,200	611,200
OTHER	(		611,200)	(611,200)
TOTAL-ALL SOURCES			7,120,600	11,108,600
20.875 Budget stabilization fund				
(1) TRANSFERS TO FUND				
(a) General fund transfer	GPR	A	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
(2) TRANSFERS FROM FUND				
(q) Budget stabilization fund transfer	SEG	A	-0-	-0-
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
General Appropriations				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,316,098,500	1,339,618,400
PROGRAM REVENUE			37,539,200	37,388,000
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		37,539,200)	(37,388,000)
SEGREGATED FUNDS			6,435,900	7,226,900
FEDERAL	(		-0-)	(-0-)
OTHER	(		6,435,900)	(7,226,900)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			1,360,073,600	1,384,233,300

SECTION 132g. 20.115 (1) (g) of the statutes is amended to read:

20.115 (1) (g) *Related services.* The amounts in the schedule for the conduct of services related to service fees, including special and overtime meat inspection services under s. 97.42. All moneys received from such service fees as are authorized by law, including receipts for the testing and analysis of seed under s. 94.45 (3), shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 132gb. 20.115 (1) (ga) of the statutes is amended to read:

20.115 (1) (ga) *Milk standards program.* All moneys received as payment for milk standards produced and used in the calibration and verification of instru-

ments 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. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133. 20.115 (1) (gb) of the statutes is created to read:

20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation of food under chs. 93 and 97 to 99. All moneys received under ss. 93.09, 93.11, 97.17, 97.175, 97.20, 97.22, 97.24, 97.26, 97.28, 97.34, 97.40, 97.41, 98.145, 98.146, 99.02, 99.20 and 99.30 for

the regulation of food shall be credited to this appropriation, but any balance at the close of a biennium exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 133b. 20.115 (1) (gb) of the statutes, as created by 1987 Wisconsin Act (this act), is amended to read:

20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation of food under chs. 93 and 97 to 99. All moneys received under ss. 93.09, 93.11, 97.17, 97.175, 97.20, 97.22, 97.24, 97.26, 97.28, 97.34, 97.40, 97.41, 98.145, 98.146, 99.02, 99.20 and 99.30 for the regulation of food shall be credited to this appropriation, but any balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133g. 20.115 (1) (i) of the statutes is amended to read:

20.115 (1) (i) *Pesticide certification and regulation.* The amounts in the schedule for ~~licensing manufacturers and labelers and certified commercial applicators~~ the regulation of pesticides under ss. 94.67 to 94.71. All moneys received under ss. 94.68 (4) (a), 94.685, 94.703, 94.704 and 94.705 ~~(1) (d) and (4) (e)~~ shall be credited to this appropriation for the regulation of pesticides.

SECTION 133ga. 20.115 (1) (i) of the statutes, as affected by 1987 Wisconsin Act (this act), is amended to read:

20.115 (1) (i) *Pesticide certification and regulation.* The amounts in the schedule for the regulation of pesticides under ss. 94.67 to 94.71. All moneys received under ss. 94.68 (4) (a), 94.685, 94.703, 94.704 and 94.705 shall be credited to this appropriation for the regulation of pesticides. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133gb. 20.115 (1) (im) of the statutes is amended to read:

20.115 (1) (im) *Unfair sales act enforcement.* The amounts in the schedule for the administration and enforcement of the unfair sales act under s. 100.30. All moneys transferred from s. 20.445 (1) (j) shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133gm. 20.115 (1) (j) of the statutes is amended to read:

20.115 (1) (j) *Weights and measures inspection.* The amounts in the schedule for the performance of weights and measures services. All moneys received

under s. 98.04 (2) and from other state agencies shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133gp. 20.115 (1) (jm) of the statutes is amended 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. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 133gr. 20.115 (1) (k) of the statutes is amended to read:

20.115 (1) (k) *Dairy trade regulation.* The amounts in the schedule for the regulation of trade practices in the dairy industry under s. 100.201. All moneys received under s. 100.201 (6) shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134. 20.115 (1) (L) of the statutes is repealed.

SECTION 134bc. 20.115 (2) (g) of the statutes is amended to read:

20.115 (2) (g) *Related services.* The amounts in the schedule for the conduct of services related to service fees. All moneys received from such service fees as are authorized by law shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134bf. 20.115 (2) (gm) of the statutes is amended to read:

20.115 (2) (gm) *Seed testing and labeling.* All moneys received from the fees imposed under s. 94.43 (3) and (4), to provide additional support for the department of agriculture, trade and consumer protection's seed testing and labeling activities under ch. 94. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134bg. 20.115 (2) (h) of the statutes is amended to read:

20.115 (2) (h) *Sale of supplies.* The amounts in the schedule for the purchase for sale of publications and other informational material, and vaccines, identification tags, seals and tools for livestock and poultry. All moneys received from the sale of those materials and supplies shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

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SECTION 134bj. 20.115 (2) (hm) of the statutes is amended to read:

20.115 (2) (hm) *Dead animal regulation.* All moneys received under s. 95.72 for licensing and regulating the transportation, processing and disposal of dead animals as required under s. 95.72. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134bn. 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, 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. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134cb. 20.115 (3) (g) of the statutes is amended to read:

20.115 (3) (g) *Related services.* The amounts in the schedule for the conduct of services related to service fees as authorized by law. Except as provided in par. (h), all moneys received from service fees as authorized by law, including moneys received for accounting or audit services under ss. 93.06 (6) (b), 100.06 (1) (c) and 100.07, and for fruit and vegetable grading or weighing and certification of the weights of grain or supervisory services under ss. 93.06 (1m) and 93.09 (10) shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134cf. 20.115 (3) (h) of the statutes is amended to read:

20.115 (3) (h) *Grain regulation — Milwaukee.* The amounts in the schedule for weighing and certifying the weights of grain received in or shipped from Milwaukee. Ninety-eight percent of all moneys received under ch. 93, excluding moneys received under s. 93.35, relating to weighing and certifying the weights of grain received in or shipped from Milwaukee shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134cg. 20.115 (3) (i) of the statutes is amended to read:

20.115 (3) (i) *Marketing orders and agreements.* All moneys received by the department under ch. 96 for the formulation, issuance, administration and enforcement of marketing orders and agreements.

From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134cj. 20.115 (3) (j) of the statutes is amended to read:

20.115 (3) (j) *Grain regulation — Superior.* The amounts in the schedule for the purposes of ch. 126. Ninety-eight percent of all moneys received under ch. 126 shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134cm. 20.115 (3) (k) of the statutes is amended to read:

20.115 (3) (k) *Potato board; assessments.* The amounts in the schedule for the execution of the potato industry board's programs, the reimbursement of the department of agriculture, trade and consumer protection for expenses incurred and permitted under s. 100.39 and making refunds of assessments under s. 100.39. All moneys received under s. 100.39 shall be credited to this appropriation. From the amounts received, the department shall transfer sufficient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 134m. 20.115 (3) (km) of the statutes is repealed.

SECTION 134mg. 20.115 (3) (L) of the statutes is repealed.

SECTION 134mr. 20.115 (5) (i) of the statutes is amended to read:

20.115 (5) (i) (title) *State fair capital expenses.* The surplus of receipts transferred from par. (h), to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings and equipment, maintenance of state-owned housing and temporary financing necessary to provide facilities for exposition purposes.

SECTION 135. 20.115 (7) (b) of the statutes is repealed.

SECTION 135g. 20.115 (7) (c) of the statutes is repealed and recreated to read:

20.115 (7) (c) *Soil and water resource management program.* As a continuing appropriation, the amounts in the schedule for the soil and water resource management program under s. 92.14.

SECTION 135gm. 20.115 (7) (d) of the statutes is repealed.

SECTION 135gr. 20.115 (7) (f) of the statutes is repealed.

SECTION 135gt. 20.115 (7) (g) of the statutes is amended to read:

20.115 (7) (g) *Agricultural impact statements.* All moneys received by the department under s. 32.035 from the preparation of agricultural impact statements for general program operations. From the amounts received, the department shall transfer suffi-

cient moneys to the appropriation under sub. (8) (i) for central administrative services.

SECTION 135gw. 20.115 (7) (k) of the statutes is created to read:

20.115 (7) (k) *Funds received from other state agencies.* All moneys received from other state agencies for the soil and water resource management program under s. 92.14, including all moneys received from the department of natural resources related to the administration and implementation of P.L. 100-4, section 316.

SECTION 136. 20.115 (8) (g) of the statutes is created to read:

20.115 (8) (g) *Gifts and grants.* All moneys received from gifts and grants to carry out the purposes for which made.

SECTION 136m. 20.115 (8) (i) of the statutes is created to read:

20.115 (8) (i) *General program operations.* The amounts in the schedule for general program operations to provide central administrative services. All moneys transferred from subs. (1) (g), (ga), (gb), (i), (im), (j), (jm) and (k), (2) (g), (gm), (h), (hm) and (j), (3) (g), (h), (i), (j) and (k) and (7) (g) shall be credited to this appropriation.

SECTION 136ma. 20.115 (8) (j) of the statutes is created to read:

20.115 (8) (j) *Stray voltage program.* The amounts in the schedule for the administration of s. 93.41. All moneys received under s. 196.857 shall be credited to this appropriation.

SECTION 136r. 20.115 (8) (km) of the statutes is created to read:

20.115 (8) (km) *General laboratory services.* The amounts in the schedule for the costs of the services performed by the department's central laboratory. All moneys received from the department and other agencies for those services shall be credited to this appropriation.

SECTION 137. 20.115 (9) (a) of the statutes is amended to read:

20.115 (9) (a) *General program operations.* ~~Biennially, the~~ The amounts in the schedule for general program operations.

SECTION 137m. 20.115 (9) (a) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

~~SECTION 137r. 20.143 (1) (am) of the statutes is created to read:~~

~~20.143 (1) (am) *Development zone grants.* The amounts in the schedule for payments of grants under s. 66.467 (5).~~

SECTION 138. 20.143 (1) (b) of the statutes is amended to read:

20.143 (1) (b) *Economic development promotion.* ~~Biennially, the~~ The amounts in the schedule for economic development promotion.

SECTION 139b. 20.143 (1) (c) of the statutes is created to read:

20.143 (1) (c) *Wisconsin development fund, grants and loans.* Biennially, the amounts in the schedule for grants and loans under ss. 560.62 and 560.63, except grants and loans in amounts greater than \$250,000.

SECTION 139mg. 20.143 (1) (d) of the statutes is created to read:

20.143 (1) (d) *Wisconsin development fund; major grants and loans.* Biennially, the amounts in the schedule for grants and loans under ss. 560.62 and 560.63 in amounts greater than \$250,000 and for grants and loans under s. 560.66.

SECTION 139t. 20.143 (1) (dm) of the statutes is created to read:

20.143 (1) (dm) *Grants to regional planning commissions.* Biennially, the amounts in the schedule for grants to regional planning commissions under 1987 Wisconsin Act (this act), section 3016 (4g). No funds may be encumbered under this paragraph after June 30, 1989.

SECTION 140. 20.143 (1) (ea) of the statutes is repealed.

SECTION 142. 20.143 (1) (ie) of the statutes is created to read:

20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., and subch. IV of ch. 560, to be used for grants and loans under subch. IV of ch. 560.

SECTION 144. 20.143 (2) (b) of the statutes is amended to read:

20.143 (2) (b) *Tourism marketing.* ~~Biennially, the~~ The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4) and 560.29. Of the amounts under this paragraph not more than 50% ~~but not less than \$750,000~~ shall be set aside to be used to match funds ~~allocated provided~~ under s. 560.29 by private or public organizations, including regional tourism development corporations, for the promotion of tourism in cooperation with the state. ~~The department of development shall expend at least \$50,000 in each fiscal year from the amounts appropriated under this paragraph for the promotion of historic sites operated or maintained by the historical society under ch. 44.~~

SECTION 144m. 20.143 (2) (c) of the statutes is created to read:

20.143 (2) (c) *Film promotion.* The amounts in the schedule to fund film promotion under s. 560.26. ~~Of those amounts, not less than \$75,000 shall be spent in each fiscal year to prepare and distribute promotional and informational materials under s. 560.26 (2) (a).~~

SECTION 145. 20.143 (4) (b) of the statutes is repealed.

SECTION 146. 20.143 (4) (c) of the statutes is repealed.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 147. 20.143 (4) (h) of the statutes is renumbered 20.143 (1) (i).

SECTION 148. 20.143 (4) (i) of the statutes is repealed.

SECTION 150. 20.145 (1) (gm) of the statutes is created to read:

20.145 (1) (gm) *Gifts and grants.* All moneys received from gifts, grants, bequests and devises to carry out the purposes for which made.

SECTION 151g. 20.145 (7) (a) of the statutes is amended to read:

20.145 (7) (a) (title) *Premium reduction and deductible subsidy.* Biennially, the amounts in the schedule for the purpose of subsidizing premium reductions under s. 619.165 and deductibles under s. 619.14 (5) (a).

Vetoed
in Part

~~SECTION 151h. 20.145 (7) (b) of the statutes is created to read:~~

~~20.145 (7) (b) *Assessment reduction.* The amounts in the schedule for the purpose of reducing the amount of assessments annually charged insurers under s. 619.13.~~

SECTION 151r. 20.155 (1) (i) of the statutes is repealed.

SECTION 152. 20.185 (1) (title) of the statutes is amended to read:

20.185 (1) (title) **SECURITIES, CORPORATE TAKE-OVER AND FRANCHISE INVESTMENT REGULATION.**

SECTION 153. 20.215 (1) (c) of the statutes is amended to read:

20.215 (1) (c) *Portraits of governors.* Biennially, the ~~The~~ amounts in the schedule to pay for costs associated with the selection and purchase of portraits of governors under s. 44.53 (1) (g).

SECTION 154m. 20.215 (1) (d) of the statutes is amended to read:

20.215 (1) (d) *Challenge grant program.* The amounts in the schedule for challenge grants under ~~ss.~~ ss. 44.53 (1) (i) and 44.565.

SECTION 154n. 20.215 (1) (k) of the statutes is amended to read:

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

SECTION 154p. 20.215 (1) (ka) of the statutes is created to read:

20.215 (1) (ka) *Percent-for-art administration.* The amounts in the schedule for the administration of the percent-for-art program under s. 44.57 (2). All moneys transferred from the appropriation under s. 20.215 (1) (k) shall be credited to this appropriation.

SECTION 155b. 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 pur-

suit of a doctor of dental surgery (D.D.S.) degree. An amount of \$5,012 in 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 265 in the 1985-86 fiscal year, 214 in the 1986-87 fiscal year, ~~187~~ 175 in the 1987-88 fiscal year, ~~155~~ 132 in the 1988-89 fiscal year and ~~150~~ 116 in the 1989-90 fiscal year.

SECTION 155w. 20.235 (1) (fg) of the statutes is amended to read:

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

SECTION 155x. 20.235 (1) (fh) of the statutes is created to read:

20.235 (1) (fh) *Minority undergraduate retention grants program; vocational.* The amounts in the schedule for the minority retention grant program for vocational, technical and adult education schools under s. 39.44.

SECTION 156. 20.245 (1) (title) of the statutes is amended to read:

20.245 (1) (title) **ARCHIVES, RESEARCH AND LIBRARY SERVICES.**

SECTION 157. 20.245 (1) (a) of the statutes is amended to read:

20.245 (1) (a) (title) *General program operations; archives and research services.* The amounts in the schedule for general program operations related to archives and research services.

SECTION 158. 20.245 (1) (am) of the statutes is created to read:

20.245 (1) (am) *General program operations; library services.* The amounts in the schedule for general program operations related to library services.

SECTION 159. 20.245 (1) (i) of the statutes is repealed.

SECTION 160. 20.245 (1) (k) of the statutes is created to read:

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

SECTION 161. 20.245 (1) (r) of the statutes is amended to read:

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

SECTION 168m. 20.245 (2) (g) of the statutes is amended to read:

20.245 (2) (g) *Admissions, sales and other receipts.* All moneys received from admissions, sales and other receipts generated by each historic site, including rentals of state-owned housing, to be used for the opera-

tion and maintenance of historic sites, including state-owned housing at such sites.

SECTION 168o. 20.245 (2) (j) of the statutes is created to read:

20.245 (2) (j) *Self-amortizing facilities; principal repayment and interest.* A sum sufficient from the revenues received under par. (g) 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 circus world museum at Baraboo.

SECTION 169. 20.245 (2) (r) of the statutes is amended to read:

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

SECTION 170. 20.245 (3) (k) of the statutes is created to read:

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

SECTION 171. 20.245 (3) (r) of the statutes is amended to read:

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

SECTION 172. 20.245 (4) (k) of the statutes is created to read:

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

SECTION 173. 20.245 (4) (q) of the statutes is amended to read:

20.245 (4) (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, to be credited to the appropriation~~ appropriations under par. (r) or sub. (1) (r), (2) (r) ~~or~~, (3) (r) or (5) (r), in accordance with the purpose purposes for which the ~~asset was~~ assets are received.

SECTION 174. 20.245 (4) (r) of the statutes is amended to read:

20.245 (4) (r) (title) *Endowment.* As a continuing appropriation, from the historical society trust fund, all moneys received as income transferred from the assets in the appropriation under par. (q) for executive and administrative services and all moneys ~~received as income transferred~~ from assets in the appropriation under par. (q) for which no specific purpose is stipu-

lated, for the purpose of carrying out executive and administrative services.

SECTION 175. 20.245 (5) (r) of the statutes is amended to read:

20.245 (5) (r) (title) *Endowment.* As a continuing appropriation, from the historical society trust fund, all moneys ~~received as income transferred from the assets in~~ the appropriation under sub. (4) (q) for the historical society museum.

SECTION 176g. 20.245 (6) (g) of the statutes is created to read:

20.245 (6) (g) *Burial sites excavation fees.* All moneys received from fees under s. 157.70 (5) (d) to be used for excavations of cataloged burial sites under s. 157.70 (5) (c) 3.

SECTION 176m. 20.255 (1) (b) of the statutes is 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, but not including expenses financed under par. (js). 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), except reimbursements credited under par. (js), shall be refunded to the appropriation made by this paragraph. Such reimbursements shall be accumulated in an account named "maintenance credits".

SECTION 178. 20.255 (1) (fr) of the statutes is repealed.

SECTION 178m. 20.255 (1) (fw) of the statutes is created to read:

20.255 (1) (fw) *Wisconsin educational opportunity program.* The amounts in the schedule for the Wisconsin educational opportunity program under s. 115.28 (23) including any payments made for the early identification program under s. 115.44.

SECTION 179. 20.255 (1) (gt) of the statutes is created to read:

20.255 (1) (gt) *Residential schools; pupil transportation.* The amounts in the schedule for the weekend transportation of pupils enrolled in the residential schools under subch. III of ch. 115 to and from their homes. All moneys received under s. 115.53 (6) shall be credited to this appropriation.

SECTION 179m. 20.255 (1) (hf) of the statutes is created to read:

20.255 (1) (hf) *Administrative leadership academy.* The amounts in the schedule to maintain an administrative leadership academy under s. 115.39. All moneys received from fees under s. 115.39 shall be credited to this appropriation.

SECTION 180. 20.255 (1) (hg) of the statutes is amended to read:

20.255 (1) (hg) (title) *Personnel certification, teacher supply, information and analysis and teacher improve-*

ment. The amounts in the schedule to fund certification administrative costs under s. 115.28 (7) (d) and, teacher supply, information and analysis costs under s. 115.29 (5) and teacher improvement under s. 115.41. All moneys received from the certification of school and public library personnel under s. 115.28 (7) (d) and all moneys received under s. 115.41 shall be credited to this appropriation.

~~SECTION 180g. 20.255 (1) (hr) of the statutes is amended to read:~~

Vetoed in Part

~~20.255 (1) (hr) Alcohol and other drug abuse program. All moneys received under s. 165.87 (1) for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3). The secretary of administration shall transfer moneys from this paragraph if necessary to accomplish the purposes specified in 1987 Wisconsin Act ... (this act), section 3036 (1g), at the rate specified in 1987 Wisconsin Act ... (this act), section 3036 (1g) (cm) 3.~~

SECTION 180m. 20.255 (1) (js) of the statutes is created to read:

20.255 (1) (js) *State-owned housing maintenance.* The amounts in the schedule for maintenance of state-owned housing. All moneys received by the department from rentals of state-owned housing shall be credited to this appropriation.

SECTION 182. 20.255 (2) (an) of the statutes is amended to read:

20.255 (2) (an) *Supplemental state aid.* Biennially, the The amounts in the schedule for payments to school districts under s. 121.085.

SECTION 182m. 20.255 (2) (cp) of the statutes is created to read:

20.255 (2) (cp) *Wisconsin morning milk program.* The amounts in the schedule for the Wisconsin morning milk program under s. 115.343.

SECTION 183. 20.255 (2) (cw) of the statutes is renumbered 20.255 (1) (cw).

SECTION 184. 20.255 (2) (d) of the statutes is amended to read:

20.255 (2) (d) *Youth initiatives program.* Biennially, the 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 185. 20.255 (2) (do) of the statutes is amended to read:

20.255 (2) (do) *Grants for preschool to grade 5 programs.* Subject to s. 121.03 115.45 (7), the amounts in the schedule for grants for preschool to grade 5 programs under s. 121.03 115.45.

~~SECTION 185m. 20.255 (2) (fc) of the statutes is created to read:~~

Vetoed in Part

~~20.255 (2) (fc) Site-based management program. Biennially, the amounts in the schedule to the school board of a city of the 1st class school district under s. 119.75 for site-based management programs.~~

~~SECTION 185o. 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 \$12,500 annually 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 ss. 116.01 and 116.08 (3m).~~

Vetoed in Part

SECTION 185t. 20.255 (2) (fp) of the statutes is created to read:

20.255 (2) (fp) *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. 115.405. This paragraph does not apply on or after July 1, 1988.

~~SECTION 185v. 20.255 (2) (ft) of the statutes is created to read:~~

~~20.255 (2) (ft) Aid for suicide prevention program. 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.~~

Vetoed in Part

~~SECTION 185w. 20.255 (2) (g) of the statutes is amended to read:~~

~~20.255 (2) (g) Aid for alcohol and other drug abuse programs. All moneys received under s. 165.87 (1) for the purpose of s. 115.36 (3). The secretary of administration shall transfer moneys from this paragraph if necessary to accomplish the purposes specified in 1987 Wisconsin Act ... (this act), section 3036 (1g), at the rate specified in 1987 Wisconsin Act ... (this act), section 3036 (1g) (cm) 2.~~

Vetoed in Part

~~SECTION 185x. 20.255 (2) (rn) of the statutes is created to read:~~

~~20.255 (2) (rn) Pupil passenger safety. From the transportation fund, the amounts in the schedule to study the effectiveness of pupil passenger standards on school buses. This paragraph does not apply after July 1, 1988.~~

Vetoed in Part

SECTION 186. 20.285 (1) (am) of the statutes is created to read:

20.285 (1) (am) *Distinguished professorships.* The amounts in the schedule to pay the cost of distinguished professorships under s. 36.14.

SECTION 186m. 20.285 (1) (as) of the statutes is created to read:

20.285 (1) (as) *Industrial and economic development research.* The amounts in the schedule for grants for industrial and economic development research projects and outreach activities under s. 36.25 (25).

SECTION 186p. 20.285 (1) (cm) of the statutes is created to read:

20.285 (1) (cm) *Doctoral student loans.* As a continuing appropriation, the amounts in the schedule for loans to doctoral students under s. 36.42.

SECTION 186pm. 20.285 (1) (dc) of the statutes is created to read:

20.285 (1) (dc) *Minority teacher loans.* The amounts in the schedule for the minority teacher loan program under s. 36.25 (16).

SECTION 188. 20.285 (1) (dd) of the statutes is amended to read:

20.285 (1) (dd) (title) *Lawton minority undergraduate grants program.* The amounts in the schedule for the Lawton minority undergraduate grant program under s. ~~36.25 (17)~~ 36.34 (1).

SECTION 189. 20.285 (1) (de) of the statutes is created to read:

20.285 (1) (de) *Pilot minority student tuition award program.* The amounts in the schedule for the pilot minority student tuition award program under s. 36.34 (2). No moneys may be encumbered under this paragraph after June 30, 1992.

SECTION 190. 20.285 (1) (fp) of the statutes is repealed.

SECTION 190m. 20.285 (1) (g) of the statutes is amended to read:

20.285 (1) (g) *Physical plant service departments.* The amounts in the schedule All moneys received for the operation of the university service departments, to be used for the operation of the university service departments, and to permit cooperation between the service departments and any state or federal agency, and to be available for the purchase of materials and the payment of wages. To the extent that moneys for the payment of wages under this paragraph are transferred from general purpose revenue appropriations, those appropriations may be supplemented as necessary from s. 20.865 (1) (c) for pay plan costs associated with the proportionate share of wages paid by such appropriations. ~~All moneys received for the operation of the university service departments shall be credited to this appropriation.~~

SECTION 191. 20.285 (1) (gm) of the statutes is created to read:

20.285 (1) (gm) *Auxiliary enterprises building projects.* As a continuing appropriation, all moneys received for or on account of any housing facility, commons, dining hall, cafeteria, student union, athletic activity, stationery stand or bookstore, parking facility, car fleet or intercollegiate athletics at the university of Wisconsin-Madison, or such other auxiliary enterprise activities as the board of regents designates and including such fee revenues as allocated by the board of regents and including such moneys received under leases entered into before the effective date of this paragraph [revisor inserts date], with nonprofit building corporations as the board of regents designates to be receipts under this paragraph, for auxiliary building projects.

SECTION 192. 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) *Auxiliary enterprises.* The amounts in the schedule for the operation, maintenance and capital expenditures of activities specified in this paragraph, including the transfer of funds to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities. All Except as provided under par. (gm), all moneys received by the university of Wisconsin system for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or ~~book store~~ bookstore, parking facilities, car fleet, intercollegiate athletics at the university of Wisconsin-Madison, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph shall be credited to this appropriation. A separate account shall be maintained for each campus, the center system and extension.

SECTION 192g. 20.285 (1) (ha) of the statutes is amended to read:

20.285 (1) (ha) *Stores.* ~~The amounts in the schedule All moneys received for the operation of a university stores division at any campus, center system or extension, to be used~~ for the operation of a university stores division at any campus, for the center system or for extension, and to permit sales from these stores divisions to other divisions of the university, any agency of the state, local government or federal government, or to university related activities, and to permit cooperation between the stores divisions and any board, commission or department of state, local or federal government and the university. A separate account shall be maintained for each stores division operated pursuant to this paragraph, and funds in these accounts shall not be commingled. ~~All moneys received for the operation of a university stores division at any campus, for the center system or extension shall be credited to this appropriation.~~

SECTION 192h. 20.285 (1) (i) of the statutes is amended to read:

20.285 (1) (i) *State laboratory of hygiene.* ~~The amounts in the schedule for general program operations. All fees and other moneys received for or on account of the operation of the state laboratory of hygiene shall be credited to this appropriation, to be used for general program operations of the laboratory of hygiene.~~

SECTION 192i. 20.285 (1) (ia) of the statutes is amended to read:

20.285 (1) (ia) *State laboratory of hygiene, drivers.* ~~The amounts in the schedule All moneys transferred from s. 20.435 (4) (hx) for the state laboratory of hygiene for costs associated with services for drivers. All moneys transferred from s. 20.435 (4) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (4) (hx).~~

SECTION 193. 20.285 (1) (im) of the statutes is amended to read:

20.285 (1) (im) *Academic student fees.* ~~The~~ Except as provided in sub. (2) (i) 1, the amounts in the schedule for degree credit instruction. Except as provided under par. (Lm), all moneys received from academic student fees shall be credited to this appropriation.

SECTION 193m. 20.285 (1) (iw) of the statutes is amended to read:

20.285 (1) (iw) *Indoor practice facility for athletic programs operation and maintenance.* ~~The amounts in the schedule All moneys received for or on account of the university of Wisconsin-Madison indoor practice facility, to be used for the operation and maintenance, not including utilities, of the university of Wisconsin-Madison indoor practice facility for athletic programs. All moneys received for or on account of the indoor practice facility shall be credited to this appropriation.~~

~~SECTION 193p. 20.285 (1) (iz) of the statutes is amended to read.~~

~~20.285 (1) (iz) *General operations receipts.* The amounts in the schedule for general operations. All moneys received for or on account of the university of Wisconsin system unless otherwise specifically appropriated shall be credited to this appropriation for general purpose operations.~~

SECTION 194m. 20.285 (1) (jL) of the statutes is created to read:

20.285 (1) (jL) *Doctoral student loan repayments.* All moneys received from the repayment of loans made under s. 36.42, to be used for loans under s. 36.42.

SECTION 195. 20.285 (1) (jm) of the statutes is created to read:

20.285 (1) (jm) *Distinguished professorships.* All moneys received after the effective date of this paragraph [revisor inserts date], from gifts, grants, bequests and devises for distinguished professorships to pay the cost of distinguished professorships under s. 36.14.

SECTION 196. 20.285 (1) (k) of the statutes is repealed.

SECTION 196g. 20.285 (1) (ka) of the statutes is amended to read:

20.285 (1) (ka) *Sale of real property.* ~~The amounts in the schedule All net proceeds from the sale of real property by the board under s. 36.34, 1969 stats., and s. 36.33, to be used for the purposes of s. 36.34, 1969 stats., and s. 36.33, including the expenses enumerated~~

in s. 13.48 (2) (d) incurred in selling the real property under those sections. ~~All net proceeds from the sale of real property by the board under s. 36.34, 1969 stats., and s. 36.33 shall be credited to this appropriation.~~

SECTION 196p. 20.285 (1) (Lm) of the statutes is amended to read:

20.285 (1) (Lm) *Laboratories.* ~~The amounts in the schedule for laboratory modernization. Of the monies From moneys received from academic student fees, \$1,451,200 shall be credited annually to this appropriation, to be used for laboratory modernization.~~ No money may be expended from or credited to this appropriation after June 30, 1996.

SECTION 197. 20.285 (1) (n) of the statutes is amended to read:

20.285 (1) (n) *Federal indirect cost reimbursement.* All moneys received from the federal government as reimbursement for indirect costs of grants and contracts for the purposes authorized in s. 16.54 (9) (b).

SECTION 197m. 20.285 (1) (x) of the statutes is amended to read:

20.285 (1) (x) *Driver education teachers.* ~~From All moneys received from the transportation fund, the amounts in the schedule~~ for the purpose of providing driver education teacher training.

SECTION 198. 20.285 (2) (b) of the statutes is amended to read:

20.285 (2) (b) *Cash fund.* The board of regents may use balances in university of Wisconsin system program revenue appropriations as contingent funds for the payment of miscellaneous expenses if immediate payment is deemed necessary but not to exceed ~~\$3,000,000~~ \$3,500,000 in total.

SECTION 199. 20.285 (2) (i) of the statutes is created to read:

20.285 (2) (i) *Expenditures from program revenue appropriations.* 1. Notwithstanding s. 20.001 (3) (a), the amount of the appropriation under sub. (1) (im) for the 1987-88 fiscal year and any fiscal year thereafter consists of the amount in the schedule, together with an amount equal to not more than the amount by which the expenditure estimate under s. 16.50 (1) for that appropriation exceeded actual expenditures from that appropriation for the previous fiscal year, to the extent that sufficient revenues are available in the appropriation account under sub. (1) (im) to finance this appropriation.

2. In addition to any expenditures approved under s. 16.50 (2) to (5), the board of regents of the university of Wisconsin system may make expenditures from the appropriation under sub. (1) (n) for any fiscal year equivalent to the amount by which the expenditure estimate under s. 16.50 (1) for that appropriation exceeded actual expenditures from that appropriation for the previous fiscal year without approval under s. 16.50 (2) to (5), to the extent that sufficient revenues are available in the appropriation account under sub. (1) (n) to finance this expenditure.

Vetoed
in Part

Vetoed
in Part

~~SECTION 200b. 20.285 (3) (iz) of the statutes is amended to read:~~

~~20.285 (3) (iz) *General operations receipts.* The amounts in the schedule for general operations of the university system administration. All moneys received for or on account of the university system administration shall be credited to this appropriation for general program operations of the university system administration.~~

SECTION 200g. 20.285 (4) of the statutes is created to read:

20.285 (4) *MINORITY AND DISADVANTAGED PROGRAMS.* (a) *Minority and disadvantaged programs.* The amounts in the schedule for programs for minority and disadvantaged students under s. 36.25 (14m).

SECTION 200r. 20.292 (1) (c) of the statutes is repealed.

SECTION 200t. 20.292 (1) (da) of the statutes is created to read:

20.292 (1) (da) *Supplemental aid.* The amounts in the schedule for one-time supplemental aid to vocational, technical and adult education districts under s. 38.28 (6). No moneys may be expended under this paragraph after June 30, 1988.

SECTION 201g. 20.292 (1) (gm) of the statutes is created to read:

20.292 (1) (gm) *Fire schools.* The amounts in the schedule for supervising and conducting schools for instruction in fire protection and prevention under s. 38.04 (9). All moneys transferred from s. 20.445 (1) (L) to this appropriation shall be credited to this appropriation.

SECTION 201m. 20.292 (2) (a) of the statutes is amended to read:

20.292 (2) (a) *General program operations.* The amounts in the schedule for general program operations under s. 38.51. This paragraph does not apply after June 30, 1988.

SECTION 203m. 20.370 (1) (da) of the statutes is amended to read:

20.370 (1) (da) *Water resources — Fox river management; general fund.* As a continuing appropriation from the general 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 and for sediment sampling and mapping of the Fox river.

SECTION 204b. 20.370 (1) (ea) of the statutes is amended to read:

20.370 (1) (ea) *Parks — general program operations.* From ~~moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule equivalent to the portion of the appropriation under par. (mu) allocated for the operation of the state parks and state recreation areas under s. 23.091 and ch. 27 and the remainder of the amounts in the schedule for the operation of the Olympic ice rink under s. 23.35.

SECTION 204c. 20.370 (1) (ed) of the statutes is amended to read:

20.370 (1) (ed) *Parks — Olympic ice rink repair, maintenance and improvement.* ~~Biennially, from moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule for the repair, maintenance and improvement of the Olympic ice rink.

SECTION 204d. 20.370 (1) (fb) of the statutes is amended to read:

20.370 (1) (fb) *Endangered resources — general program operations.* From ~~moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule for the administration and implementation of the non-game and endangered and threatened species conservation programs under ss. 29.175 and 29.415 and the endangered resources program, as defined under s. 71.097 (1) (b), and for the inventory of natural areas under s. 23.27 (3).

SECTION 204e. 20.370 (1) (fc) of the statutes is amended to read:

20.370 (1) (fc) *Endangered resources — Wisconsin stewardship program.* ~~Biennially, from moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule for natural areas stewardship activities, including land management services, legal services, planning services and related services.

SECTION 204f. 20.370 (1) (fd) of the statutes is amended to read:

20.370 (1) (fd) *Endangered resources — natural heritage inventory program.* ~~Biennially, from moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule to administer the natural heritage inventory program.

SECTION 204g. 20.370 (1) (jr) of the statutes is created to read:

20.370 (1) (jr) *Rental property — maintenance.* All moneys received by the department from the rental of any property on land owned by the department utilized for resource management, to be used for the maintenance of rental property on land owned by the department utilized for resource management.

SECTION 204h. 20.370 (1) (kb) of the statutes is amended to read:

20.370 (1) (kb) *Resource acquisition and development — state funds.* As a continuing appropriation from ~~moneys allocated under sub. (7) (aa) the general fund~~, the amounts in the schedule for land acquisition, preservation, development and improvement under ss. 23.09 (2), 23.27 (4), 23.30 and 30.26.

SECTION 204i. 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) the general fund~~, 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 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 204j. 20.370 (1) (kd) of the statutes is amended to read:

20.370 (1) (kd) *Resource acquisition and development — Olympic ice rink lease rental payments.* From ~~moneys allocated under sub. (7) (aa) the general fund,~~ a sum sufficient for the payment of rentals on leases and subleases previously entered into under s. 560.05 for the Olympic ice rink.

SECTION 204k. 20.370 (1) (kp) of the statutes is created to read:

20.370 (1) (kp) *Resource acquisition and development — boating access.* As a continuing appropriation, the amounts in the schedule for state recreational boating projects which provide public access to inland waters, as defined in s. 29.01 (9), which are lakes in the region identified under s. 25.29 (7) (a).

SECTION 204L. 20.370 (1) (kq) of the statutes is amended to read:

20.370 (1) (kq) *Resource acquisition and development — taxes and assessments.* ~~Biennially, the~~ The amounts in the schedule to pay taxes and assessments that are or may become a lien on property acquired prior to date of conveyance to the state.

~~SECTION 204Le. 20.370 (1) (Lq) of the statutes is created to read:~~

~~20.370 (1) (Lq) *Beaver control forestry account.* As a continuing appropriation, from the forestry account of the conservation fund, the amounts in the schedule for making beaver control subsidy payments under s. 29.59 and for administering that section.~~

SECTION 204Lm. 20.370 (1) (Lr) of the statutes is created to read:

20.370 (1) (Lr) *Beaver control; fish and wildlife account.* As a continuing appropriation, from the fish and wildlife account of the conservation fund, the amounts in the schedule for making beaver control subsidy payments under s. 29.59 and for administering that section.

SECTION 204m. 20.370 (1) (mi) of the statutes is created to read:

20.370 (1) (mi) *General program operations — research service funds.* All moneys received from public or private sources under s. 23.09 (2) (k) for natural resources research projects.

SECTION 204n. 20.370 (1) (ms) of the statutes is amended to read:

20.370 (1) (ms) *General program operations — state all-terrain vehicle areas and trails.* ~~As a biennial appropriation, the~~ The amounts in the schedule from moneys received from all-terrain vehicle registration for state all-terrain vehicle areas and trails. No mon-

neys may be expended from this appropriation after June 30, 1989.

SECTION 204o. 20.370 (2) (aq) of the statutes is amended to read:

20.370 (2) (aq) (title) *Water resources management — lake and river management.* ~~Biennially, from the transportation fund, the~~ The amounts in the schedule for lake and river management activities.

SECTION 204p. 20.370 (2) (bL) of the statutes is amended to read:

20.370 (2) (bL) *Wastewater management — fees.* All moneys received under s. 144.025 (2) (L) for the certification of wastewater treatment plant operators and under ss. 146.20 (4s) (a) and (b) and 147.033 (2) (a) for wastewater management activities.

SECTION 204q. 20.370 (2) (ca) of the statutes is amended to read:

20.370 (2) (ca) *Air management — sulfur dioxide emission reduction study.* ~~Biennially, the~~ The amounts in the schedule to conduct the sulfur dioxide emission reduction study.

SECTION 204r. 20.370 (2) (ci) of the statutes is amended to read:

20.370 (2) (ci) *Air management — permit review and enforcement.* The amounts in the schedule for any purpose specified under s. 144.399 (1) ~~(a) or (b).~~ All moneys received from fees imposed under s. 144.399 shall be credited to this appropriation.

SECTION 204s. 20.370 (2) (di) of the statutes is created to read:

20.370 (2) (di) *Solid waste management — reimbursements and environmental repair.* All moneys, including interest, received under s. 144.442 from the recovery of expenditures and reimbursements under the environmental repair program, the hazardous substances spills program and the abandoned container program, for compliance with consent order contracts with responsible parties and for the administration of these programs.

SECTION 204t. 20.370 (2) (du) of the statutes is repealed.

~~SECTION 209m. 20.370 (2) (dw) of the statutes is created to read:~~

~~20.370 (2) (dw) *Solid waste management — waste tire removal and recovery programs.* From the transportation fund, as a continuing appropriation, the amounts in the schedule for the waste tire removal and recovery programs under ss. 144.449 and 144.798.~~

SECTION 251n. 20.370 (2) (hq) of the statutes is created to read:

20.370 (2) (hq) *Solid waste management — petroleum storage environmental cleanup.* From the petroleum storage environmental cleanup fund, all moneys received from the petroleum storage environmental cleanup fund, ~~except moneys appropriated under par (h).~~ for purposes related to the petroleum storage environmental cleanup program under s. 144.4425.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~SECTION 251a. 20.370 (2) (hr) of the statutes is created to read.~~

~~20.370 (2) (hr) *Solid waste management — petroleum storage environmental cleanup, administration.* From the petroleum storage environmental cleanup fund, the amounts in the schedule for the administration of the petroleum storage environmental cleanup program under s. 144.4425.~~

SECTION 251q. 20.370 (2) (mb) of the statutes is amended to read:

20.370 (2) (mb) *General program operations — groundwater general fund supplement.* ~~Biennially, the~~ The amounts in the schedule to be transferred to the groundwater fund.

SECTION 251r. 20.370 (2) (mc) of the statutes is repealed.

SECTION 251s. 20.370 (2) (md) of the statutes is amended to read:

20.370 (2) (md) *General program operations — environmental repair general fund supplement.* ~~Biennially, the~~ The amounts in the schedule to be transferred to the environmental repair fund.

SECTION 251t. 20.370 (2) (mq) of the statutes is repealed.

SECTION 251u. 20.370 (2) (ms) of the statutes is amended to read:

20.370 (2) (ms) (title) *General program operations — groundwater activities.* From the groundwater fund, the amounts in the schedule to develop groundwater standards, implement ch. 160 and conduct groundwater monitoring activities.

SECTION 251v. 20.370 (3) (as) of the statutes is amended to read:

20.370 (3) (as) *Law enforcement — all-terrain vehicle enforcement.* ~~As a biennial appropriation, the~~ 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 251w. 20.370 (3) (cr) of the statutes is created to read:

20.370 (3) (cr) *Environmental enforcement — groundwater enforcement.* From the groundwater fund, the amounts in the schedule for the enforcement of groundwater standards and related activities under ch. 160.

SECTION 251x. 20.370 (3) (dg) of the statutes is amended to read:

20.370 (3) (dg) (title) *Environmental impact — consultant services; printing and postage costs.* All moneys received under s. 23.40 (3) (d) which are designated as related to the cost of authorized environmental consultant services, to pay for those services, and all amounts designated as costs of printing and postage, to pay for those costs.

SECTION 251y. 20.370 (3) (mg) of the statutes is repealed.

SECTION 251z. 20.370 (4) (ar) of the statutes is amended to read:

20.370 (4) (ar) *Resource aids — county forests, forest croplands and managed forest land aids.* ~~Biennially, the~~ The amounts in the schedule to pay county forest aids under s. 28.11 (8), forest croplands aids under subch. I of ch. 77 and managed forest land aids under ss. 77.85 (2) and 77.89 (1).

SECTION 251zb. 20.370 (4) (bp) of the statutes is created to read:

20.370 (4) (bp) *Recreation aids — waterfront park aids; conservation fund.* As a continuing appropriation, the amounts in the schedule to provide aid to towns, villages, cities, counties ~~and the Yahara watershed management district~~ and the Yahara watershed management district for the development of waterfront parks under s. 23.09 (25) (e).

Vetoed
in Part

SECTION 251zc. 20.370 (4) (bp) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 251zd. 20.370 (4) (bu) of the statutes is repealed and recreated to read:

20.370 (4) (bu) *Recreation aids — recreational boating projects.* As a continuing appropriation, the amounts in the schedule for recreational boating projects ~~under s. 33.40.~~

Vetoed
in Part

SECTION 251zf. 20.370 (4) (bv) of the statutes is amended to read:

20.370 (4) (bv) *Recreation aids — motorcycle recreation aids; trails.* ~~Biennially, the~~ The amounts in the schedule to provide aid to towns, villages, cities and counties for the acquisition, development, operation and maintenance of off-the-road Type 1 motorcycle trails and facilities under s. 23.09 (25) (a) and to the department for the development and maintenance of existing off-the-road Type 1 motorcycle trails at the Black River state forest and the Bong state recreation area under s. 23.09 (25) (a).

SECTION 251zh. 20.370 (4) (bw) of the statutes is amended to read:

20.370 (4) (bw) (title) *Recreation aids — waterfront park aids; transportation fund.* ~~Biennially from the transportation fund, as a continuing appropriation, the amounts in the schedule to provide aid to towns, villages, cities and counties and the Yahara watershed management district for the development of local waterfront parks under s. 23.09 (25) (e).~~

Vetoed
in Part

Vetoed
in Part

SECTION 251zhm. 20.370 (4) (bw) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated 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, counties ~~and the Yahara watershed management district~~ and the Yahara watershed management district for the development of local parks under s. 23.09 (25) (e).

Vetoed
in Part

SECTION 251zi. 20.370 (4) (ca) of the statutes is amended to read:

20.370 (4) (ca) *Environmental aids — point source; prior to bonding and small projects.* ~~Biennially, from~~

~~From~~ the general fund, the amounts in the schedule to make payments to municipalities and school districts on agreements entered into under s. 144.21 (6) (a) and to make payments to municipalities and school districts on agreements entered into under s. 144.21 (6) (c) for smaller projects for sewage treatment facilities.

SECTION 251zj. 20.370 (4) (cf) of the statutes is amended to read:

20.370 (4) (cf) *Environmental aids — private sewage system replacement and rehabilitation.* ~~Biennially, from~~ From the general fund, the amounts in the schedule for financial assistance under the 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 251zk. 20.370 (4) (da) of the statutes is amended to read:

20.370 (4) (da) *Environmental planning aids — local water quality planning.* ~~Biennially, from~~ From the general fund, the amounts in the schedule to provide state assistance to designated local agencies for water quality planning activities under s. 144.235.

SECTION 251zL. 20.370 (4) (dc) of the statutes is amended to read:

20.370 (4) (dc) *Environmental planning aids — recycling transition funds.* ~~Biennially, the~~ The amounts in the schedule for aid payments for assistance in the continuation of planning recycling and resource recovery projects to counties which were involved in negotiations with the Wisconsin solid waste recycling authority under ch. 232, 1981 stats., and are located in an area for which the authority received a federal grant from the U.S. environmental protection agency.

SECTION 251zm. 20.370 (4) (dd) of the statutes is renumbered 20.370 (4) (cd).

SECTION 251zn. 20.370 (4) (de) of the statutes is renumbered 20.370 (4) (dq) and amended to read:

20.370 (4) (dq) *Environmental aids — scenic urban waterways.* ~~From the general fund, as~~ As a continuing appropriation, the amounts in the schedule to administer a program for scenic urban waterways under s. 30.275.

SECTION 251zo. 20.370 (4) (ea) of the statutes is amended to read:

20.370 (4) (ea) *Aids in lieu of taxes.* ~~From moneys allocated under sub. (7) (aa) the general fund,~~ a sum sufficient to pay aids to municipalities for state lands under s. 70.113.

SECTION 251zp. 20.370 (4) (fr) of the statutes is amended to read:

20.370 (4) (fr) (title) *Enforcement aids — boating enforcement.* ~~From the transportation fund, the~~ The amounts in the schedule for local boating enforcement aids.

SECTION 251zq. 20.370 (4) (fu) of the statutes is amended to read:

20.370 (4) (fu) *Enforcement aids — all-terrain vehicle enforcement.* ~~As a biennial appropriation, the~~ The amounts in the schedule from moneys received from all-terrain vehicle registration for local law enforcement aids.

SECTION 251zr. 20.370 (4) (ga) of the statutes is created to read:

20.370 (4) (ga) *Enforcement aids — spearfishing enforcement.* As a continuing appropriation from the general fund, the amounts in the schedule to make payments to counties and municipalities under s. 29.599 to reimburse them for certain law enforcement costs associated with spearfishing.

SECTION 251zs. 20.370 (4) (hb) of the statutes is amended to read:

20.370 (4) (hb) *Youth camps and work projects — state funds.* ~~From moneys allocated under sub. (7) (aa) the general fund,~~ the amounts in the schedule for the construction and operation of youth conservation camps under s. 23.09 (23) and for conservation work projects under s. 23.09 (22).

SECTION 251zt. 20.370 (4) (iq) of the statutes is amended to read:

20.370 (4) (iq) *Aids administration — all-terrain vehicle recreation.* ~~As a biennial appropriation, the~~ 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 251ztt. 20.370 (4) (jb) of the statutes is amended to read:

20.370 (4) (jb) *Debt service — recreational boating bonds.* ~~From moneys allocated under sub. (7) (aa) the general fund,~~ a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in assisting municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating ~~facilities projects~~ under s. ~~30.92 (3) (d).~~

SECTION 251zu. 20.370 (7) (title) of the statutes is repealed.

SECTION 251zv. 20.370 (7) (aa) of the statutes is repealed.

SECTION 251zw. 20.370 (8) (dq) of the statutes is amended to read:

20.370 (8) (dq) *Snowmobile registration.* ~~Biennially, the~~ The amounts in the schedule from the snowmobile enforcement and administration account in the conservation fund for snowmobile registration.

SECTION 251zx. 20.370 (8) (dr) of the statutes is amended to read:

20.370 (8) (dr) *Boat registration.* ~~Biennially, from~~ From the moneys received under s. 30.52 (3), the amounts in the schedule for boat registration.

SECTION 251zy. 20.370 (8) (ds) of the statutes is amended to read:

20.370 (8) (ds) *All-terrain vehicle administration*. ~~As a biennial appropriation, the~~ 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 251zz. 20.370 (8) (La) of the statutes is amended to read:

20.370 (8) (La) *Facility repair and maintenance*. ~~Biennially, from~~ From the general fund, the amounts in the schedule for the repair and maintenance costs of existing structures and buildings under the control of the department.

SECTION 252b. 20.370 (8) (Lc) of the statutes is amended to read:

20.370 (8) (Lc) *Facility repair and maintenance — parks and youth camps*. ~~Biennially, from~~ From the ~~moneys allocated under sub. (7) (aa)~~ general fund, the amounts in the schedule for the repair and maintenance costs of existing structures and buildings located in state parks, recreation areas and youth camps operated by the department under s. 23.09 (23).

SECTION 252h. 20.370 (8) (Lr) of the statutes is amended to read:

20.370 (8) (Lr) *Facility repair and maintenance*. ~~Biennially, the~~ The amounts in the schedule for the repair and maintenance costs of existing structures and buildings under the control of the department.

SECTION 252m. 20.370 (8) (Lu) of the statutes is created to read:

20.370 (8) (Lu) *Rental property — maintenance*. All moneys received by the department from the rental of any property on land owned by the department utilized for purposes other than resource management, to be used for the repair and maintenance of rental property on land owned by the department utilized for purposes other than resource management.

SECTION 272ag. 20.370 (8) (mk) of the statutes is created to read:

20.370 (8) (mk) *General program operations — data processing*. The amounts in the schedule to meet the costs associated with computer time for data processing services. All moneys received from the department for computer time for data processing services shall be credited to this appropriation.

SECTION 272ar. 20.370 (8) (mv) of the statutes is created to read:

20.370 (8) (mv) *General program operations — groundwater fund*. From the groundwater fund, the amounts in the schedule for the general administration and field administration of the department.

SECTION 272b. 20.395 (1) (br) of the statutes is amended to read:

20.395 (1) (br) *Milwaukee urban area rail transit system planning study; state funds*. ~~Biennially, the~~ The amounts in the schedule for the purpose of providing the state share of a federally financially assisted planning study of an urban rail transit system under s.

85.063 to serve the Milwaukee urban area. The department shall maximize the use of federal financial aids available for this study wherever feasible and appropriate.

SECTION 272d. 20.395 (1) (fr) of the statutes is amended to read:

20.395 (1) (fr) *Flood damage aids, state funds*. As a continuing appropriation, the amounts in the schedule to make payments under s. 86.34. Notwithstanding s. 20.001 (3) (c), if the balance in this appropriation exceeds \$1,500,000 on June 30 of ~~the odd-numbered~~ any fiscal year, the amount in excess of \$1,500,000 shall lapse to the transportation fund.

SECTION 272h. 20.395 (1) (gq) of the statutes is created to read:

20.395 (1) (gq) *Expressway policing aids, state funds*. The amounts in the schedule to reimburse any county policing expressways under s. 59.965 (10) (b).

SECTION 272hm. 20.395 (2) (cq) of the statutes is amended to read:

20.395 (2) (cq) (title) *Harbor assistance and ferry service assistance grants, state funds*. As a continuing appropriation, the amounts in the schedule for harbor assistance under s. 85.095 (2) (a) and ferry service assistance under s. 85.095 (4), except that no more than \$100,000 may be expended for ferry service assistance.

SECTION 272i. 20.395 (2) (eq) (title) of the statutes is amended to read:

20.395 (2) (eq) (title) *Highway and local bridge improvement assistance, state funds*.

SECTION 272j. 20.395 (2) (ev) of the statutes is amended to read:

20.395 (2) (ev) (title) *Local bridge improvement assistance, local funds*. All moneys received from any local unit of government or other source for ~~providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for~~ improving bridges under ss. 84.11, 84.12, 84.17 and 84.18 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 272k. 20.395 (2) (ex) of the statutes is amended to read:

20.395 (2) (ex) (title) *Local bridge improvement assistance, federal funds*. All moneys received from the federal government for ~~providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for~~ improving bridges under ss. 84.11, 84.12, 84.17 and 84.18 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 272L. 20.395 (2) (fv) of the statutes is created to read:

20.395 (2) (fv) *Local highway improvement assistance, local funds*. All moneys received from any local unit of government or other source for providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for improving

highways that are not state trunk or connecting highways, for such purposes.

SECTION 272m. 20.395 (2) (fx) of the statutes is created to read:

20.395 (2) (fx) *Local highway improvement assistance, federal funds.* All moneys received from the federal government for providing public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 272n. 20.395 (2) (gq) of the statutes is amended to read:

20.395 (2) (gq) (title) *Railroad crossing improvement and protection assistance, state funds.* ~~As a continuing appropriation, the~~ The amounts in the schedule to pay the costs for railroad crossing protection improvements under s. 195.28 (2) and railroad crossing protection under s. 195.28 (3).

SECTION 272p. 20.395 (2) (gr) of the statutes is repealed.

SECTION 272r. 20.395 (2) (hq) of the statutes is repealed.

SECTION 273. 20.395 (2) (iq) of the statutes is created to read:

20.395 (2) (iq) *Transportation facilities economic assistance and development, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of transportation facilities for the purpose of economic assistance and development under s. 84.185.

SECTION 274. 20.395 (2) (iv) of the statutes is created to read:

20.395 (2) (iv) *Transportation facilities economic assistance and development, local funds.* All moneys received from any local unit of government or other source for improvement of transportation facilities for the purpose of economic assistance and development under s. 84.185.

SECTION 275. 20.395 (2) (ix) of the statutes is created to read:

20.395 (2) (ix) *Transportation facilities economic assistance and development, federal funds.* All moneys received from the federal government for improvement of transportation facilities for the purpose of economic assistance and development under s. 84.185.

SECTION 275b. 20.395 (3) (aq) of the statutes is repealed.

SECTION 275d. 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 bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, 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 275f. 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 bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, 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 275h. 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 bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, 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 275j. 20.395 (3) (hq) of the statutes is amended to read:

20.395 (3) (hq) *Highway traffic operations, state funds.* ~~Biennially, the amount~~ The amounts in the schedule for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10, 348.25, 348.26 and 348.27 and ch. 349.

SECTION 275k. 20.395 (4) (aq) of the statutes is amended to read:

20.395 (4) (aq) *Department 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 \$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 and the minority civil engineer scholarship and loan repayment incentive grant program under s. 85.107.

SECTION 275L. 20.395 (5) (cg) of the statutes is repealed.

SECTION 275m. 20.395 (5) (cq) of the statutes is amended to read:

20.395 (5) (cq) (title) *Vehicle registration, inspection and maintenance and driver licensing, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, including the traffic violation and registration program, for administering the motor vehicle emission inspection

and maintenance program under s. 110.20 and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services. Of the amount appropriated under this paragraph, the department may maintain a contingent fund, not to exceed \$6,000, for establishing change funds in the amount deemed necessary by the department.

SECTION 275o. 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 program under s. 341.085 and the vehicle inspection and traffic enforcement programs, ~~including \$495,000 in fiscal year 1983-84 and \$509,900 in fiscal year 1984-85 and thereafter to reimburse any county policing expressways under s. 59.965 (10) (b).~~

SECTION 275p. 20.395 (5) (hr) of the statutes is repealed.

SECTION 275pm. 20.395 (6) (aq) of the statutes is amended to read:

20.395 (6) (aq) *Principal repayment and interest, transportation facilities, state funds.* 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 transportation facilities under ss. 84.51, 84.52, 84.53 and 85.095 (2).

SECTION 275q. 20.395 (9) (td) of the statutes is amended to read:

20.395 (9) (td) *Real estate major cost carry-over.* When a highway, airport or railroad land acquisition project is approved by the secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2) (bq), (dq) and (eq) and (3) ~~(ae)~~, (bq), (cq), (dq), (eq), (fq), (gq) and (hq) may be considered encumbered.

~~SECTION 275r. 20.399 (1) (r) of the statutes is amended to read:~~

~~20.399 (1) (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, including the costs of acquiring trees, plants and shrubs for highway beautification projects in counties with a population of 500,000 or more, if those costs are not paid by project sponsors. Corps enrollee compensation includes the cost of salaries, benefits, incentive payments and vouchers.~~

SECTION 275s. 20.399 (2) (q) of the statutes is amended to read:

20.399 (2) (q) *Administrative support; conservation fund.* ~~Biennially, from~~ From the conservation fund, the amounts in the schedule for the payment of administrative expenses related to the Wisconsin conservation corps program.

SECTION 296m. 20.420 (intro.) of the statutes is repealed.

SECTION 296n. 20.420 (1) (title) of the statutes is renumbered 20.505 (6) (title) and amended to read:

20.505 (6) (title) OFFICE OF JUSTICE ASSISTANCE.

SECTION 296p. 20.420 (1) (a) of the statutes is amended to read:

20.420 (1) (a) (title) *General program operations.* The amounts in the schedule for ~~planning and administration under the justice system improvement act of 1979, P.L. 96-157, and any related programs~~ general program operations.

SECTION 296q. 20.420 (1) (a) of the statutes, as affected by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (a).

~~SECTION 296r. 20.420 (1) (am) of the statutes is created to read:~~

~~20.420 (1) (am) *Statistical analysis center.* The amounts in the schedule for the operation of the statistical analysis center.~~

~~SECTION 296s. 20.420 (1) (am) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.455 (2) (am).~~

SECTION 297a. 20.420 (1) (g) of the statutes is created to read:

20.420 (1) (g) *Anti-drug enforcement program, aids and local assistance.* All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) to match federal funds made available under subtitle K of title I of P.L. 99-570, except as provided in par. (h) and s. 20.435 (4) (jk). The executive director of the council may transfer moneys not needed as matching funds under this paragraph to par. (h). The secretary of administration shall transfer \$250,000 from this paragraph to s. 20.435 (4) (jk) in each fiscal year. ~~The secretary of administration shall transfer moneys from this paragraph if necessary to accomplish the purposes specified in 1987 Wisconsin Act (this act), section 30.36 (1g), at the rate specified in 1987 Wisconsin Act (this act), section 30.36 (1g) (cm) 1. If moneys are transferred from this paragraph for purposes specified in 1987 Wisconsin Act (this act), section 30.36 (1g), there shall be a corresponding decrease in the amounts expended under this paragraph and transferred to par. (h) and s. 20.435 (4) (jk). Any such decrease shall be as follows: 39% of the decrease shall be in the amounts expended under this paragraph, 35% of the decrease shall be in the amount transferred to par. (h) and 26% of the decrease shall be in the amount transferred to s. 20.435 (4) (jk).~~

SECTION 297b. 20.420 (1) (g) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (g) and amended to read:

20.505 (6) (g) *Anti-drug enforcement program, aids and local assistance.* All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) to match federal funds made available under subtitle K of title I of

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P.L. 99-570, except as provided in par. (h) and s. 20.435 (4) (jk). The executive staff director of the council office of justice assistance may transfer moneys not needed as matching funds under this paragraph to par. (h). The secretary of administration shall transfer \$250,000 from this paragraph to s. 20.435 (4) (jk) in each fiscal year. The secretary of administration shall transfer moneys from this paragraph if necessary to accomplish the purposes specified in 1987 Wisconsin Act (this act), section 3036 (1g), at the rate specified in 1987 Wisconsin Act (this act), section 3036 (1g) (am) 1. If moneys are transferred from this paragraph for purposes specified in 1987 Wisconsin Act (this act), section 3036 (1g), there shall be a corresponding decrease in the amounts expended under this paragraph and transferred to par. (h) and s. 20.435 (4) (jk). Any such decrease shall be as follows: 39% of the decrease shall be in the amounts expended under this paragraph, 35% of the decrease shall be in the amount transferred to par. (h) and 26% of the decrease shall be in the amount transferred to s. 20.435 (4) (jk).

SECTION 297c. 20.420 (1) (h) of the statutes is created to read:

20.420 (1) (h) *Anti-drug enforcement program, state operations.* All moneys transferred from par. (g) to match federal funds made available under subtitle K of title I of P.L. 99-570 regarding allocations to state agencies for planning, programs and administration regarding anti-drug abuse law enforcement assistance.

SECTION 297d. 20.420 (1) (h) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (h).

SECTION 299. 20.420 (1) (k) of the statutes is created to read:

20.420 (1) (k) *Interagency and intra-agency assistance.* All moneys received from any state agency for planning, programs and administration regarding anti-drug abuse law enforcement assistance.

SECTION 299a. 20.420 (1) (k) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (k).

SECTION 299m. 20.420 (1) (m) of the statutes is renumbered 20.505 (6) (m).

SECTION 299p. 20.420 (1) (o) of the statutes is renumbered 20.505 (6) (o).

SECTION 299q. 20.420 (1) (p) of the statutes is renumbered 20.505 (6) (p).

SECTION 299r. 20.420 (1) (pa) of the statutes is renumbered 20.505 (6) (pa).

SECTION 300. 20.420 (1) (pb) of the statutes is created to read:

20.420 (1) (pb) *Federal aid, anti-drug enforcement program, aids and local assistance.* All moneys received from the federal government under subtitle K of title I of P.L. 99-570, except as provided in par. (pc), as authorized by the governor under s. 16.54, to carry out the purposes for which received.

SECTION 300a. 20.420 (1) (pb) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (pb).

SECTION 301. 20.420 (1) (pc) of the statutes is created to read:

20.420 (1) (pc) *Federal aid, anti-drug enforcement program, state operations.* All moneys received from the federal government under subtitle K of title I of P.L. 99-570, as authorized by the governor under s. 16.54, to be allocated to state agencies to carry out the purposes for which received.

SECTION 301a. 20.420 (1) (pc) of the statutes, as created by 1987 Wisconsin Act (this act), is renumbered 20.505 (6) (pc).

SECTION 301m. 20.432 (1) (kb) of the statutes is amended to read:

20.432 (1) (kb) (title) *Insurance and other information, counseling and assistance.* The amounts in the schedule for the purpose of providing information and counseling on medicare supplemental insurance information, long-term care insurance and medical assistance eligibility requirements, training, educational materials and technical assistance under s. 16.009 (4) (2) (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 301q. 20.432 (2) of the statutes is created to read:~~

~~20.432 (2) PROTECTION AND ADVOCACY AGENCY. (a) Advocacy services. The amounts in the schedule for the provision by the protection and advocacy agency of advocacy services for persons with developmental disabilities under s. 51.62 (3m).~~

SECTION 302. 20.433 (1) (g) of the statutes is amended to read:

20.433 (1) (g) *General program operations.* From all moneys received under s. 69.22 (1) (a)-2 (c), the amounts in the schedule to be used for the operating expenses of the child abuse and neglect prevention board under s. 48.982 (2) and (3).

SECTION 303. 20.433 (1) (h) of the statutes is amended to read:

20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.22 (1) (a)-2 (c), 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 303m. 20.435 (1) (a) of the statutes is repealed and recreated to read:

20.435 (1) (a) *General program operations.* The amounts included in the schedule for general program

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Vetoed in Part operations; including health services regulation, administration and field services. Of the amounts appropriated under this paragraph, unless the department has expended all federal moneys available for provision of these services, in state fiscal year 1987-88 \$75,000 may not be expended and in state fiscal year 1988-89 \$75,000 may not be expended for the provision of anonymous counseling services and laboratory testing services for the presence of an antibody to HTLV-III at alternate testing sites.

SECTION 305. 20.435 (1) (am) of the statutes is created to read:

20.435 (1) (am) *Acquired immunodeficiency syndrome services.* The amounts in the schedule for the purchase of services under s. 146.022 for individuals with respect to acquired immunodeficiency syndrome and related infections.

SECTION 306m. 20.435 (1) (b) of the statutes is amended to read:

20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45 and to fund the pilot project under s. 46.27 (9) and (10). Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (4) (b) funds for the purposes specified under s. 49.45 (6g) and as provided under s. 46.40 (14). The department of health and social services may credit or deposit into this appropriation funds it transfers from the appropriation under par. (a) for the purpose specified in s. 146.90 (4m) (a).

Vetoed in Part SECTION 307. 20.435 (1) (b) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to fund care for persons in institutions for mental diseases under s. 49.45 (6), to fund the pilot project under s. 46.27 (9) and (10) and to fund services under s. 46.27 (4m). Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (4) (b) funds for the purposes specified under ss. 46.266 and 49.45 (6g) and as provided under s. 46.40 (14). The department of health and social services may credit or deposit into this appropriation funds it transfers from the appropriation under par. (a) for the purpose specified in s. 146.90 (4m) (a).

Vetoed in Part SECTION 311m. 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).

Vetoed in Part SECTION 313m. 20.435 (1) (eg) of the statutes is amended to read:

~~20.435 (1) (eg) (title) *Pregnancy counseling and adolescent health services.* The amounts in the schedule for grants for pregnancy counseling under s. 146.75 and for the provision of adolescent health services under s. 146.19.~~

Vetoed in Part

SECTION 314. 20.435 (1) (em) of the statutes is amended to read:

20.435 (1) (em) (title) *Supplemental food program for women, infants and children benefits.* The amounts in the schedule to provide a state supplement under s. 146.185 to the federal special supplemental food program for women, infants and children authorized under 42 USC 1786.

SECTION 315. 20.435 (1) (es) of the statutes is created to read:

20.435 (1) (es) *Supplemental food program for women, infants and children administration.* The amounts in the schedule to pay administrative contract costs for the state supplement under s. 146.185 to the federal special supplemental food program for women, infants and children authorized under 42 USC 1786.

~~SECTION 315g. 20.435 (1) (fa) of the statutes is created to read:~~

~~20.435 (1) (fa) *State health insurance pilot projects benefits.* Biennially, the amounts in the schedule to make subsidies available to persons enrolled in the state health insurance pilot projects conducted under s. 146.90 (4m). The department of health and social services may transfer from this appropriation to the appropriation under par. (b) funds for the purpose specified in s. 146.90 (4m) (a).~~

Vetoed in Part

~~SECTION 315j. 20.435 (1) (fb) of the statutes is created to read:~~

~~20.435 (1) (fb) *State health insurance pilot projects administration.* Biennially, the amounts in the schedule to pay the costs of administering the state health insurance pilot projects conducted under s. 146.90 (4m), including the costs of local administrative contracts.~~

~~SECTION 315m. 20.435 (1) (fc) of the statutes is created to read:~~

~~20.435 (1) (fc) *Primary health care program.* As a continuing appropriation, the amounts in the schedule to provide primary health care services that are not donated or to augment reduced-rate health care services under s. 146.93 and to pay the costs of administering that section.~~

Vetoed in Part

SECTION 316. 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), 140.06 (5) and (8), 140.45 (6), 140.50 to 140.60, 140.86, 141.15 (2) (b) and, 143.15 (7) and 146.24 and ch. 150. All moneys received under ss. 50.50 to 50.85, 140.05 (17), 140.06 (5) and (8), 140.45 (6), 140.50 to 140.60, 140.85, 140.86, 141.15 (2) (b), 143.15 (7), 146.24 and 150.13 shall be credited to this appropriation.

SECTION 317r. 20.435 (1) (gp) of the statutes is amended to read:

Vetoed in Part 20.435 (1) (gp) (title) *Health care.* ~~All moneys received under s. 146.99. The amounts in the schedule to fund the health care education funding report under s. 146.87, certain administrative costs for the 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. All moneys received from assessments on hospitals under s. 146.90 shall be credited to this appropriation.~~

SECTION 318. 20.435 (1) (ja) of the statutes is amended to read:

20.435 (1) (ja) (title) *Congenital disorders diagnosis, special dietary treatment and counseling.* The amounts in the schedule to provide ~~congenital disorders diagnostic services, special dietary treatment and follow-up counseling for congenital disorders and periodic evaluation of infant screening programs~~ as specified under s. 146.02. All moneys received by the department under s. 146.02 (2) shall be credited to this appropriation.

SECTION 320m. 20.435 (2) (gk) of the statutes is amended to read:

20.435 (2) (gk) *Institutional operations and charges.* The amounts in the schedule for care provided by the centers for the developmentally disabled to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after July 1, 1978, in accordance with s. 51.437 (4rm) (c), for care provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to county departments that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2, for maintenance of state-owned housing at centers for the developmentally disabled and mental health institutes, and for reimbursing the total cost of using, producing and providing services, products and care. All moneys received as payments from medical assistance on and after August 1, 1978, as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978, as medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (3) (as) 2 received on and after January 1, 1979, and as payments for the rental of ~~state institutional facilities~~ state-owned housing and other institutional facilities at centers for the developmentally disabled and mental health institutes, for the sale of utilities and for other services, products and care shall be credited to this appropriation, except that any payment under s. 46.10 received for the care or treatment of patients admitted under s. 51.10, 51.15 or 51.20 for which the state is liable under s. 51.05 (3), of patients

admitted under s. 55.06 (9) (d) or (e) for which the state is liable under s. 55.05 (1), of forensic patients committed under ch. 971 or 975, admitted under ch. 975 or transferred under s. 51.35 (3) or of patients transferred from a state prison under s. 51.37 (5), to Mendota mental health institute or Winnebago mental health institute shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4). Whenever the unencumbered balance of the portions of this appropriation pertaining to farm operations plus the portions of the appropriation under sub. (3) (kk) pertaining to farm operations totals \$200,000 on June 30 of any year, the excess shall revert to the general fund.

SECTION 338m. 20.435 (3) (j) of the statutes is created to read:

20.435 (3) (j) *State-owned housing maintenance.* The amounts in the schedule for maintenance of state-owned housing at state correctional institutions. All moneys received by the department from rentals of state-owned housing at state correctional institutions shall be credited to this appropriation.

SECTION 349. 20.435 (4) (b) of the statutes is amended to read:

20.435 (4) (b) (title) *Community aids.* 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~~ the provision or purchase of social services under ss. 46.215 (1) and (2) and (3) and 46.22 (1) (e), including foster care under ss. 49.19 (10), child care under s. 46.98 (2) (a) 1 and 49.50 and, before January 1, 1986, services under s. 46.27 services under ss. 46.87 and 46.985. 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 ~~to private nonprofit organizations under s. 46.87 (2)~~ and to county aging units and private nonprofit organizations under s. 46.87 (3) (c) 4 and (4) 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, 51.423 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~~

Vetoed in Part

~~between calendar years funds it recovers under ss. 49.52 (2) (b) and 51.423 (15) 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 51.423 (2) but not spent or encumbered on or before December 31 of any year by counties or by county departments 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. Except for the amounts a county department 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. 51.423 (2) and not spent or encumbered by county departments 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) Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and all funds allocated under ss. 46.87 (3) (c) 4 and (4), 46.87 (2), 46.98 (2) (a) 2, 49.52 (1) (d) and 51.423 (2) and not spent or encumbered by counties, governing bodies of federally recognized American Indian tribes or nonprofit organizations by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred carried forward 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 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between calendar years funds it transfers from the appropriation under sub. (1) (b) for the purposes specified under ss. 46.266 and 49.45 (6g).~~

Vetoed in Part

~~SECTION 349g. 20.435 (4) (bb) of the statutes is created to read:~~

Vetoed in Part

~~20.435 (4) (bb) Community support program grants. As a continuing appropriation, the amounts in the schedule for community support program grants under s. 51.421 (4).~~

~~SECTION 349f. 20.435 (4) (bc) of the statutes is created to read:~~

~~20.435 (4) (bc) Community support program aids. The amounts in the schedule for community support program aids under s. 51.421 (5).~~

SECTION 350. 20.435 (4) (bd) of the statutes is amended 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) (fm) or (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 350m. 20.435 (4) (be) of the statutes is created to read:~~

Vetoed in Part

~~20.435 (4) (be) Services to persons with brain injury. Biennially, the amounts in the schedule for grants to provide community-based services to persons with brain injury under s. 46.55.~~

SECTION 351. 20.435 (4) (bf) of the statutes is amended to read:

20.435 (4) (bf) Alzheimer's disease; training and information grants. Biennially, the 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 352m. 20.435 (4) (bg) of the statutes is amended to read:

20.435 (4) (bg) (title) Employment and training programs; administration. The amounts in the schedule for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7) and, the work experience and job training pilot program under s. 49.50 (7j), the employment search program under s. 49.50 (7c), the self-employment and placement pilot program under s. 49.50 (7s) and grant diversion projects under s. 49.50 (7g).

Vetoed in Part

SECTION 353m. 20.435 (4) (bm) of the statutes is repealed.

~~SECTION 353s. 20.435 (4) (bp) of the statutes is created to read:~~

Vetoed in Part

~~20.435 (4) (bp) Guaranteed jobs program. Biennially, the amounts in the schedule for the guaranteed jobs program under s. 46.33. The department of health and social services shall submit to the joint committee on finance a plan for any expenditure of funds under this paragraph for the department's administration of the guaranteed jobs program. If the cochairpersons of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed plan within 14 working days after the date of the department's submittal, the funds may be released to the department as provided in the plan. If, within 14 working days after the date of the department's submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, no funds may be released to the department for its~~

Vetoed in Part administrative costs without the approval of the committee.

SECTION 354m. 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 \$1,772,100 in fiscal year 1985-86 and \$1,761,000 in fiscal year 1986-87.

Vetoed in Part SECTION 354n. 20.435 (4) (cc) of the statutes is amended 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. ss. 46.97 and 46.975.

SECTION 354v. 20.435 (4) (ce) of the statutes is repealed.

SECTION 355. 20.435 (4) (cf) of the statutes is amended to read:

20.435 (4) (cf) (title) *Foster parent insurance and liability.* The amounts in the schedule to purchase insurance or pay claims as provided under s. 48.627. The department may not expend any funds from this appropriation for claims submitted under s. 48.627 (2) after June 30, 1987, or the date of publication of the 1987-89 biennial budget bill, whichever is later.

SECTION 355m. 20.435 (4) (cj) of the statutes is created to read:

20.435 (4) (cj) *Reduction of paternity backlog.* Biennially, the amounts in the schedule to reduce the paternity backlog in a county with a population of 500,000 or more under 1987 Wisconsin Act (this act), section 3024 (14m). No moneys may be expended under this paragraph after June 30, 1989.

Vetoed in Part SECTION 355n. 20.435 (4) (cm) of the statutes is created to read:

20.435 (4) (cm) *Juvenile restitution and community service projects.* The amounts in the schedule for juvenile restitution projects and community service projects under s. 46.263.

SECTION 356. 20.435 (4) (cm) of the statutes is renumbered 20.435 (5) (d).

SECTION 357m. 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, child care and related transportation payments under s. 49.50 (7) (e) 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 358. 20.435 (4) (de) 1 of the statutes is amended to read:

20.435 (4) (de) 1. The amounts in the schedule for payment distribution under s. 46.032 for county administration of public assistance benefits and medical assistance eligibility determination and payments to American Indian tribes for administration of public assistance programs. 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. Payments may be made from this appropriation to counties for the cost of the case management pilot project under s. 49.50 (7w) (e) and for administration of the child support supplement program under s. 46.257. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. The department may transfer funds returned to this appropriation under s. 49.52 (1) (ag) 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.

SECTION 358m. 20.435 (4) (de) 2 of the statutes is amended to read:

20.435 (4) (de) 2. Except for payments to counties under s. 46.25 (10) (c) and 49.50 (7w) (e) and for administration of the child support supplement program under s. 46.257, reimbursement from this appropriation shall be based on workload standards promulgated by the department.

SECTION 359m. 20.435 (4) (df) of the statutes is amended to read:

20.435 (4) (df) (title) *Employment and training programs.* The amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j) and the self-employment and placement pilot project under s. 49.50 (7s), grant diversion projects under s. 49.50 (7g), community work experience programs under s. 49.50 (7m) and the food stamp employment and training project under s. 49.124. Moneys appropriated under this paragraph may be used to match federal funds received under par. (pm) or (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer moneys under this paragraph between fiscal years.

SECTION 360m. 20.435 (4) (dj) of the statutes is created to read:

20.435 (4) (dj) *Benefit specialist program.* The amounts in the schedule for the benefit specialist program for older persons under s. 46.81.

Vetoed in Part

SECTION 361. 20.435 (4) (eb) of the statutes is amended to read:

20.435 (4) (eb) *General relief aid.* ~~Biennially, the~~ The amounts in the schedule for state aid to counties and municipalities for eligible general relief costs under s. 49.035.

SECTION 362h. 20.435 (4) (eg) of the statutes is amended to read:

20.435 (4) (eg) (title) *Programs for adolescents and adolescent parents.* The amounts in the schedule for the purchase of day care programs from school boards under s. 46.99 and for the provision of adolescent self-sufficiency and pregnancy prevention programs under s. 46.995.

SECTION 362m. 20.435 (4) (hh) of the statutes is amended to read:

20.435 (4) (hh) *Domestic abuse assessment.* The amounts in the schedule for the purposes of s. 46.95. All moneys received from the domestic abuse assessment surcharge on court fines, as authorized under s. 971.37 (1m) (c) 1 or 973.055, shall be credited to this appropriation.

SECTION 362r. 20.435 (4) (jk) of the statutes is created to read:

20.435 (4) (jk) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. 46.265. All moneys transferred from s. 20.420 (1) (g) shall be credited to this appropriation.

SECTION 362s. 20.435 (4) (jk) of the statutes, as created by 1987 Wisconsin Act (this act), is amended to read:

20.435 (4) (jk) *Youth diversion program.* The amounts in the schedule for youth diversion services under s. 46.265. All moneys transferred from s. ~~20.420~~ (+) 20.505 (6) (g) shall be credited to this appropriation.

SECTION 363. 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, includ-

ing 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 364. 20.435 (4) (kc) of the statutes is amended to read:

20.435 (4) (kc) *Independent living center grants.* ~~Biennially, the~~ The amounts in the schedule for the purpose of making grants to independent living centers for the severely disabled under s. 46.96. All moneys transferred from sub. (5) (bm) and (na) for the purpose of providing grants to independent living centers for the severely disabled under s. 46.96 shall be credited to this appropriation.

SECTION 365. 20.435 (4) (L) of the statutes is repealed and recreated to read:

20.435 (4) (L) *Welfare fraud and error reduction.* All moneys received from the state's share of the recovery of overpayments and incorrect payments under ss. 49.125 (2), 49.195 (5) and 49.497 (1) for reducing error and fraud in the food stamp, aid to families with dependent children and medical assistance programs. The funds shall be allocated as provided in s. 49.197 (1).

SECTION 366. 20.435 (4) (Lm) of the statutes is repealed.

SECTION 366m. 20.435 (4) (ma) of the statutes is amended to read:

20.435 (4) (ma) *Federal project aids.* See sub. (9) (ma). In each fiscal year, the department shall allocate \$250,000 as grants under this paragraph for demonstration projects and to develop and implement in-home family-based treatment programs for persons with alcohol or other drug abuse problems. The department shall award the grants on a request-for-proposal basis.

SECTION 367a. 20.435 (4) (mb) of the statutes is created to read:

20.435 (4) (mb) *Federal project local assistance.* All federal moneys received, as a portion of the moneys provided under subtitle A of title IV of P.L. 99-570, for amounts to counties pursuant to allocation plans developed by the department for the expansion of treatment and rehabilitation services for persons with alcohol or drug abuse problems.

SECTION 368. 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 as provided under s. 49.80 (3) (c).

SECTION 369. 20.435 (4) (o) of the statutes is amended to read:

20.435 (4) (o) (title) *Federal aid; community aids.* 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, all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under ~~1985 Wisconsin Act 29, section 3023 (10) (b) s. 48.985~~ 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 disbursal 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 under s. 46.215, 46.22 or 46.23.

SECTION 370. 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 ~~1985 Wisconsin Act 29, section 3023 (10) (e) s. 48.985~~ 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 370c. 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, the costs of the child and spousal support and establishment of paternity program under s. 46.25, the cost of child care and related transportation under s. 49.50 (7) (e) 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 370g. 20.435 (4) (pm) of the statutes is amended to read:

20.435 (4) (pm) *Employment programs; administration.* All federal moneys received for the administrative costs associated with the work incentive

demonstration program under s. 49.50 (7), the employment search program under s. 49.50 (7c), the grant diversion program under s. 49.50 (7g) and, the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m), ~~the self-employment and placement pilot project under s. 49.50 (7s) and the food stamp employment and training program under s. 49.124.~~

Vetoed
in Part

SECTION 370r. 20.435 (4) (ps) of the statutes is amended to read:

20.435 (4) (ps) *Employment programs; aids.* All federal moneys received for the provision or purchase of services for the work incentive demonstration program under s. 49.50 (7), the employment search program under s. 49.50 (7c), the grant diversion program under s. 49.50 (7g) and, the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m), ~~the self-employment and placement pilot project under s. 49.50 (7s) and the food stamp employment and training program under s. 49.124.~~

Vetoed
in Part

SECTION 372. 20.435 (5) (c) of the statutes is amended 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 373. 20.435 (5) (hh) of the statutes is created to read:

20.435 (5) (hh) *Interpreter services for hearing impaired.* The amounts in the schedule for interpreter services for hearing-impaired persons under s. 47.03 (10) (a). All moneys received from fees charged for the interpreter services shall be credited to this appropriation.

SECTION 376d. 20.440 (intro.) of the statutes is amended to read:

20.440 (title) Health and educational facilities authority. (intro.) There is appropriated to the Wisconsin health and educational facilities authority for the following program:

SECTION 376h. 20.440 (1) (title) of the statutes is amended to read:

20.440 (1) (title) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES.

SECTION 376m. 20.441 of the statutes is repealed.

SECTION 376p. 20.442 (1) (c) of the statutes is created to read:

20.442 (1) (c) *Matching funds grant.* The amounts in the schedule for a grant to fund general program operations, subject to s. 233.09.

SECTION 377. 20.445 (1) (b) of the statutes is repealed.

SECTION 378. 20.445 (1) (bc) of the statutes is amended to read:

20.445 (1) (bc) *Assistance for dislocated workers.* ~~Biennially, the~~ The amounts in the schedule for providing grants under s. 101.27.

SECTION 379. 20.445 (1) (c) of the statutes is created to read:

20.445 (1) (c) *Job center pilot projects.* Biennially, the amounts in the schedule for job center pilot projects under 1987 Wisconsin Act (this act), section 3030 (1).

SECTION 379m. 20.445 (1) (c) of the statutes, as created by 1987 Wisconsin Act (this act), is repealed.

SECTION 380. 20.445 (1) (cm) of the statutes is repealed.

SECTION 381. 20.445 (1) (ga) of the statutes is amended to read:

20.445 (1) (ga) *Job service operations.* All moneys received from fees ~~levied~~ collected under s. 101.23 (7) for the delivery of ~~employment~~ services under s. 101.23 and ch. 108.

SECTION 382. 20.445 (1) (gb) of the statutes is created to read:

20.445 (1) (gb) *Local agreements.* All moneys received through contracts or financial agreements for provision of services to local units of government or local organizations, except moneys appropriated under par. (gm), for the purpose of providing the services.

SECTION 383. 20.445 (1) (gd) of the statutes is amended to read:

20.445 (1) (gd) *Unemployment reserve interest payments.* From the moneys received as interest and penalties collected under 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) and (gf) 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, and for payments made to the unemployment reserve fund to obtain a lower interest rate or deferral of interest payments on these advances, except as otherwise provided in s. 108.20.

SECTION 384. 20.445 (1) (gf) of the statutes is created to read:

20.445 (1) (gf) *Employment security administration.* From the moneys received as interest and penalties collected under ss. 108.04 (11) (c) and (13) (c) and 108.22, the amounts in the schedule for the administration of employment service programs and unemployment compensation programs under ch. 108 and

s. 101.23 and federal or state unemployment compensation programs authorized by the governor under s. 16.54; and for payments to satisfy any federal audit exception concerning a payment from the unemployment reserve fund or any federal aid disallowance involving the unemployment compensation program.

SECTION 384m. 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, 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), 168.12 (1) and (2) to (6) and 236.12 (7) shall be credited to this appropriation. From the amounts received under s. 168.12, \$66,000 shall be transferred to the appropriation under s. 20.115 (1) (im) in each fiscal year and \$1,500,000 shall be credited to the environmental repair fund in the 1987-88 and the 1988-89 fiscal years.

SECTION 395. 20.445 (1) (k) of the statutes is amended to read:

20.445 (1) (k) *Fees.* All moneys received from fees charged to counties and to the department of health and social services under ~~s.~~ ss. 46.25 (8) and 108.13 (3) (f) for administrative costs incurred in the enforcement of child and spousal support obligations under 42 USC 654.

SECTION 396. 20.445 (1) (ka) of the statutes is created to read:

20.445 (1) (ka) *Interagency agreements.* All moneys received through contracts or financial agreements for provision of services to other state agencies, except moneys appropriated under pars. (k), (kg) and (kk), for the purpose of providing the services.

SECTION 397m. 20.445 (1) (L) of the statutes is amended to read:

20.445 (1) (L) *Fire dues distribution.* All moneys received under ss. 101.573 (1) and 601.93, less the ~~amount appropriated under amounts transferred to par. (La) and s. 20.292 (1) (gm),~~ for distribution under s. 101.573. The amount transferred to par. (La) shall be the amount in the schedule under par. (La). The amount transferred to s. 20.292 (1) (gm) shall be the amount in the schedule under s. 20.292 (1) (gm).

SECTION 398m. 20.445 (1) (La) of the statutes is amended to read:

20.445 (1) (La) (title) *Fire prevention and fire dues administration.* The amounts in the schedule for administrative expenses under ~~s.~~ ss. 101.14, 101.141 and 101.573. All moneys ~~received under ss. 101.573 (1) and 601.93~~ transferred from par. (L) to this appropriation shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the appropriation under par. (L).

~~SECTION 398p. 20.445 (1) (b) of the statutes is amended to read:~~

Vetoed
in Part

~~20.455 (1) (b) *Special counsel.* A sum sufficient, subject to the procedure established in s. 14.11 (2) (c), biennially, the amounts in the schedule for the compensation of special counsel appointed as provided in ss. 14.11 (2) and 21.13.~~

SECTION 399. 20.455 (1) (d) of the statutes is amended to read:

20.455 (1) (d) *Legal expenses.* ~~Biennially, the~~ The amounts in the schedule for the payment of expenses incurred by the department of justice in the prosecution or defense of any action or proceeding in which the state may be a party or may have an interest, for any abstract of title, clerk of court's fees, sheriff's fees or any other expense actually necessary to the prosecution or defense of those cases, for the payment of expenses incurred where the department of justice is not involved, and where the statutes provide that those expenses shall be paid from this appropriation, unless the cost or expenses are charged to some other appropriation.

SECTION 401. 20.455 (1) (k) of the statutes is created to read:

20.455 (1) (k) *Environment litigation project.* All moneys received from the department of natural resources for materials or services provided by the department of justice regarding a project involving the use of environmental litigation to protect air, land and water resources to be used to pay for costs and expenses associated with those materials and services.

SECTION 402. 20.455 (2) (b) of the statutes is created to read:

20.455 (2) (b) *Investigations and operations.* The amounts in the schedule for conducting undercover investigations and operations.

SECTION 403. 20.455 (2) (c) of the statutes is amended to read:

20.455 (2) (c) *Crime laboratory equipment.* ~~Biennially, the~~ The amounts in the schedule for the maintenance, repair and replacement costs of the laboratory equipment in the state and regional crime laboratories.

SECTION 406a. 20.455 (2) (gm) of the statutes is created to read:

20.455 (2) (gm) *Criminal history search fees.* All moneys received as fee payments under s. 165.82 (1) for the provision of services under s. 165.82 (1).

SECTION 407g. 20.455 (2) (i) of the statutes is amended to read:

20.455 (2) (i) (title) *Penalty assessment surcharge, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) ~~or transferred from par. (j)~~ shall be credited to this appropriation. These moneys may be transferred to pars. (j) and (ja) by the secretary of administration for expenditures based upon determinations by the department of justice,

Vetoed
in Part

~~except \$130,000 shall be transferred to par. (j) in each fiscal year and \$350,000 shall be transferred to par. (j) in fiscal year 1987-88 and \$350,000 shall be transferred to par. (j) in fiscal year 1988-89.~~

Vetoed
in Part

SECTION 407r. 20.455 (2) (j) of the statutes is created to read:

20.455 (2) (j) *Crime laboratory equipment.* Biennially, the amounts in the schedule for the maintenance, repair and replacement costs of the laboratory equipment in the state and regional crime laboratories. All moneys transferred from par. (i) shall be credited to this appropriation.

~~SECTION 407s. 20.455 (2) (jc) of the statutes is created to read:~~

~~20.455 (2) (jc) *Law enforcement assistance.* The amounts in the schedule for law enforcement assistance payments to cities under s. 165.88. All moneys transferred from par. (i) shall be credited to this appropriation. All moneys from this paragraph which are not expended or encumbered at the end of a fiscal year shall be transferred to par. (i).~~

Vetoed
in Part

SECTION 408. 20.455 (2) (k) of the statutes is created to read:

20.455 (2) (k) *Interagency and intra-agency assistance.* All moneys received from any state agency regarding anti-drug abuse law enforcement assistance and drug investigations and analysis to carry out the purposes for which received.

SECTION 408m. 20.455 (3) (g) of the statutes is created to read:

20.455 (3) (g) *Gifts, grants and proceeds.* All moneys received from gifts and grants and all proceeds from services, conferences and sales of publications and promotional materials to carry out the purposes for which made or collected, except as provided in sub. (2) (gm). No moneys may be expended under this paragraph unless the following requirements, as applicable, are met: the department of justice shall provide the department of administration with information regarding the source, purpose, nature and value of any gift or grant; the possibility of any future state costs associated with any gift; and the possibility of conflicts of interest which may arise by accepting any gift or grant. In addition, expenditures under this paragraph are subject to the following approval process involving the secretary of administration and the joint committee on finance. The department of justice shall provide the required information to the secretary of administration. If the secretary disapproves, the department shall not expend the moneys. If the secretary approves, he or she shall notify the joint committee on finance in writing of the proposed expenditure. 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 department of justice may expend the moneys in the manner approved by the

secretary. 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 proposed expenditure may be made only with the approval of the committee.

SECTION 409. 20.455 (5) (c) of the statutes is amended to read:

20.455 (5) (c) *Reimbursement for victim and witness services.* ~~Biennially, the~~ The amounts in the schedule to provide reimbursement to counties under s. 950.06 (2).

SECTION 411. 20.465 (1) (b) of the statutes is amended to read:

20.465 (1) (b) *Repair and maintenance.* ~~Biennially, the~~ The amounts in the schedule for the improvement, repair and maintenance costs of military lands or buildings under the control of the department.

SECTION 411m. 20.465 (1) (g) of the statutes is amended to read:

20.465 (1) (g) *Military property.* The amounts in the schedule for rent of state-owned military lands or buildings used by, acquired for or erected for the Wisconsin national guard pursuant to s. 21.19 (2), for rental of buildings and grounds maintenance equipment owned by the state and required to properly maintain properties supported by state-federal cooperative funding agreements, for the repair and maintenance of state-owned military lands or buildings and for the purchase and construction of new military property, real and personal. All moneys received on account of lost military property, from the sale of obsolete or unserviceable military property ~~or~~, from the sale of any state-owned military property, real and personal, under s. 21.19 (3), or from the rental of state-owned housing shall be credited to this appropriation.

SECTION 412. 20.465 (1) (k) of the statutes is created to read:

20.465 (1) (k) *Armory store operations.* The amounts in the schedule for the operation of an armory store at Camp Williams. All moneys received from state agencies, state-owned or state-controlled armories and other state-owned military installations shall be credited to this appropriation.

SECTION 412m. 20.465 (1) (q) of the statutes is created to read:

20.465 (1) (q) *Helicopter medical services and transportation.* From the transportation fund, the amounts in the schedule to operate, at the direction of the governor, a program to provide, by helicopter, emergency medical services and transportation to appropriate medical facilities for persons involved in accidents occurring upon highways of the state.

SECTION 413. 20.465 (2) (a) of the statutes is amended to read:

20.465 (2) (a) *Tuition grants.* ~~Biennially, the~~ The amounts in the schedule for the payment of tuition grants to members of the Wisconsin national guard under s. 21.49 (3).

SECTION 415g. 20.485 (1) (gk) of the statutes is amended to read:

20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the care of the Wisconsin veterans home, including maintenance of state-owned housing. All moneys received under par. (m) and s. 45.37 (9d) and (16) (b) and all moneys received from the rental of state-owned housing shall be credited to this appropriation.

SECTION 415m. 20.485 (2) (b) of the statutes is repealed.

SECTION 416. 20.485 (2) (db) of the statutes is amended to read:

20.485 (2) (db) *General fund supplement to veterans trust fund.* ~~Biennially from~~ From the general fund, the amounts in the schedule to be paid into the veterans trust fund to be used for veterans programs.

SECTION 416g. 20.485 (2) (x) of the statutes is repealed.

SECTION 416r. 20.485 (2) (y) of the statutes is amended to read:

20.485 (2) (y) *Veterans loans and expense.* After deducting the appropriations made under pars. (u) to ~~(x)~~ (wd), the amounts in the schedule for the payment of loans granted to veterans under s. 45.352, 1971 stats., 45.351 (2) or 45.80 and the payment of expense and other payments as a consequence of being mortgagee or owner under s. 45.352, 1971 stats., 45.351 (2) or 45.80. All repayments of loans and payments of interest made on loans under s. 45.352, 1971 stats., 45.351 (2) or 45.80 shall revert to the veterans trust fund.

SECTION 417. 20.485 (3) (s) of the statutes is amended to read:

20.485 (3) (s) *General program operations.* ~~Biennially, the~~ The amounts in the schedule from the veterans mortgage loan repayment fund for general program operations of the veterans mortgage loan program under s. 45.79.

SECTION 418. 20.505 (1) (fm) of the statutes is repealed.

SECTION 419. 20.505 (1) (h) of the statutes is repealed.

SECTION 420. 20.505 (1) (im) of the statutes is amended to read:

20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items, including those under s. 125.08 (1) (d) and (2) (b), primarily to purchasers outside state government. All moneys received from the sale of services and inventory items which are provided primarily to purchasers outside state government, including moneys received under s. 125.08 (1) (d) and (2) (b), shall be credited to this appropriation. ~~This paragraph applies only after December 31, 1986.~~

SECTION 421. 20.505 (1) (ka) of the statutes is amended to read:

20.505 (1) (ka) *Materials and services to state agencies.* The amounts in the schedule to provide services ~~and repurchasing~~ primarily to state agencies, to repurchase inventory items sold primarily to state agencies ~~and to transfer the proceeds of document sales to state agencies publishing documents.~~ All moneys received from the provision of services ~~and~~ primarily to state agencies, from the sale of inventory items ~~which are provided~~ primarily to state agencies ~~and from documents sold on behalf of state agencies,~~ other than moneys received and disbursed under pars. (kb) to ~~(kg)~~ (ki), shall be credited to this appropriation.

SECTION 421r. 20.505 (1) (kb) of the statutes is amended to read:

20.505 (1) (kb) *Fleet services.* The amounts in the schedule to provide state vehicle and aircraft fleet services and inventory items primarily to state agencies. All moneys received from the provision of state vehicle and aircraft fleet services and sale of inventory items primarily to state agencies shall be credited to this appropriation.

SECTION 422. 20.505 (1) (kf) of the statutes is repealed.

SECTION 423. 20.505 (1) (kg) of the statutes is created to read:

20.505 (1) (kg) *Records, microfilm and forms services.* The amounts in the schedule to provide records storage and microfilm services primarily to state agencies, and to fund services of the public records and forms board under s. 16.61. All moneys received from the provision of records storage and microfilm services primarily to state agencies and from services provided to state agencies by the public records and forms board shall be credited to this appropriation. This paragraph does not apply after June 30, 1989.

SECTION 424. 20.505 (1) (kh) of the statutes is amended to read:

20.505 (1) (kh) *Records storage and microfilm service.* The amounts in the schedule to provide records storage and microfilm services primarily to state agencies. All moneys received from the provision of records storage and microfilm services primarily to state agencies shall be credited to this appropriation. This paragraph applies only after ~~December 31, 1986~~ June 30, 1989.

SECTION 424r. 20.505 (1) (md) of the statutes is created to read:

20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received for expenditure under proposals approved by the joint committee on finance under s. 14.065.

SECTION 425. 20.505 (2) (e) of the statutes is amended 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 grants to individuals and to

make payments to local ~~units of government~~ governments as defined in 42 USC 5122 (6) under federal disaster recovery programs as authorized in s. 166.03 (2) (b) 8 ~~and to make the payments required under 1985 Wisconsin Act 31, section 5.~~

SECTION 426m. 20.505 (2) (f) of the statutes is renumbered 20.505 (2) (q) and amended to read:

20.505 (2) (q) *Civil air patrol aids.* ~~The~~ From the transportation fund, the amounts in the schedule to provide assistance to the civil air patrol under s. 166.03 (2) (a) 5.

SECTION 426r. 20.505 (3) (b) of the statutes is amended to read:

20.505 (3) (b) *Women's council operations.* The amounts in the schedule for the general program operations of the women's council under s. 16.01, ~~for grant application solicitation, for grant supervision and the provision of technical assistance and for grants to organizations~~ under s. 16.01 (4).

Vetoed
in Part
Vetoed
in Part

SECTION 427. 20.505 (3) (c) of the statutes is repealed.

SECTION 430. 20.505 (4) (h) of the statutes is created to read:

20.505 (4) (h) *Program services.* The amounts in the schedule to carry out the responsibilities of divisions, boards and commissions attached to the department of administration, ~~other than the office of health care information,~~ the board on aging and long-term care, the arts board, the public records and forms board and the Wisconsin conservation corps board. All moneys received from fees which are authorized by law or administrative rule to be collected by any division, board or commission attached to the department, ~~other than the office of health care information,~~ the board on aging and long-term care, the arts board, the public records and forms board and the Wisconsin conservation corps board, shall be credited to this appropriation and used to carry out the purposes for which collected.

Vetoed
in Part

Vetoed
in Part

SECTION 432. 20.505 (5) of the statutes is created to read:

20.505 (5) FACILITIES MANAGEMENT. (ka) *Facility operations and maintenance.* The amounts in the schedule for the purpose of financing the costs of operation, utilities and heating, protective services, custodial and maintenance services and minor projects in state-owned and operated facilities not funded from other appropriations. All moneys received from state agencies, parking rental fees under s. 16.843 (2) and miscellaneous other sources, and all moneys transferred from the appropriation under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation.

(kb) *Lease rental payments.* All moneys transferred from par. (ka) to pay rentals due on state facilities leased by the building commission under ss. 13.482 and 13.488.

(kc) *Principal repayment and interest.* All moneys transferred from par. (ka), to be transferred to the appropriation under 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 housing state agencies.

SECTION 434. 20.512 (1) (b) of the statutes is amended to read:

Vetoed in Part 20.512 (1) (b) *Day care services.* ~~Biennially, the~~ The amounts in the schedule to fund ~~a one or more~~ pilot day care ~~facility facilities~~ operated under s. 230.048 for children of state employees. No funds may be encumbered under this paragraph for the pilot day care facility in the city of Madison after June 30, 1988, or for the pilot day care center at northern Wisconsin center for the developmentally disabled in the city of Chippewa Falls after June 30, 1989.

SECTION 435. 20.512 (1) (k) (title) of the statutes is amended to read:

20.512 (1) (k) (title) *Employee development and training services.*

SECTION 436. 20.512 (1) (ka) of the statutes is created to read:

20.512 (1) (ka) *Publications.* The amounts in the schedule for the cost of producing periodicals and other publications. All moneys received from the sale of subscriptions and publications shall be credited to this appropriation.

SECTION 436m. 20.515 (1) (a) of the statutes is amended to read:

Vetoed in Part 20.515 (1) (a) *Annuity supplements and payments.* A sum sufficient to pay the benefits authorized under ss. 40.02 (17) (d) ~~2, 1985 stats.,~~ and 40.27 (1) and (1m), ~~1985 stats.,~~ in excess of the amounts payable under other provisions of ch. 40 and any distributions made under s. 40.04 (3) (e) after the effective date of this paragraph [revisor inserts date], notwithstanding s. 40.27 (2) and to reimburse any amounts expended under par. (w) for the costs of administering the benefits provided under ss. 40.02 (17) (d) ~~2, 1985 stats.,~~ and 40.27 (1) and (1m), 1985 stats.

SECTION 437. 20.525 (1) (a) of the statutes is amended to read:

20.525 (1) (a) *General program operations.* A sum sufficient for staff salaries and the general program operations of the office of the governor, including amounts authorized for transitional expenses under s. 13.09 (5), ~~but not including programs financed under sub. (3).~~ The governor is entitled to expenses incident to his or her office from this appropriation, including expenses in connection with any conferences of governors under s. 14.17.

SECTION 438. 20.525 (3) (intro.) of the statutes is renumbered 20.540 (intro.) and amended to read:

20.540 (title) **Office of the lieutenant governor.** (intro.) There is appropriated to the lieutenant governor for the following program programs:

SECTION 439. 20.525 (3) (a) of the statutes is renumbered 20.540 (1) (a).

SECTION 440. 20.540 (1) (title) of the statutes is created to read:

20.540 (1) (title) **EXECUTIVE COORDINATION.**

SECTION 441b. 20.540 (1) (g) of the statutes is created to read:

20.540 (1) (g) *Gifts, grants and proceeds.* All moneys received from gifts, grants, bequests or devises to carry out the purposes for which received, and all proceeds from conferences conducted or publications or promotional materials sold to finance the cost thereof.

SECTION 442. 20.540 (1) (m) of the statutes is created to read:

20.540 (1) (m) *Federal aid.* All moneys received from the federal government as authorized by the governor under s. 16.54 to carry out the purposes for which received.

~~SECTION 442. 20.550 (1) (d) of the statutes is amended to read.~~

~~20.550 (1) (d) (title) *Private bar, expert and investigator reimbursement.* The amounts in the schedule for the reimbursement of private attorneys appointed to act as counsel for an indigent person under s. 977.08 and reimbursement for contracting for services of experts and private investigators.~~

Vetoed in Part

SECTION 443. 20.550 (1) (e) of the statutes is repealed.

SECTION 444. 20.566 (1) (hq) of the statutes is created to read:

20.566 (1) (hq) *Delinquent tax collection fees.* All moneys received from fees collected under s. 73.03 (32) and from the reimbursement by delinquent taxpayers of costs incurred by the department of revenue under ch. 814, to pay costs incurred by the department of revenue under ch. 814.

SECTION 445. 20.566 (2) (q) of the statutes is created to read:

20.566 (2) (q) *Railroad and air carrier tax administration.* From the transportation fund, the amounts in the schedule to cover the costs of administering the taxes imposed on railroads and air carriers under ch. 76.

SECTION 456. 20.566 (3) (c) of the statutes is amended to read:

20.566 (3) (c) *Expert professional services.* ~~Biennially, the~~ The amounts in the schedule to pay the expenses associated with the employment of accountants, appraisers, counsel and other special assistants to aid in tax determination, property valuation, assessment of property and other functions related to the administration of state taxes, oversight of local property tax administration and administration of property tax relief programs.

SECTION 457. 20.566 (7) (a) of the statutes is amended to read:

20.566 (7) (a) *Investment and local impact fund administrative expenses.* The amounts in the schedule

for administrative expenses, travel, materials, staff salaries and other necessary expenses for the purposes of s. 70.395.

SECTION 457m. 20.566 (7) (v) of the statutes is amended to read:

20.566 (7) (v) *Investment and local impact fund.* From the investment and local impact fund, all moneys received under ss. s. 70.395 (1) (a) and (1g) (b) and 70.40 (3), less the moneys appropriated under s. 20.370 (2) (gr) and (gs), to be disbursed under ss. 70.395 (2) (d) to (g), 144.855 (5) (a) and 144.838 (4).

SECTION 458. 20.566 (8) (wc) of the statutes is repealed.

SECTION 459. 20.575 (1) (gb) of the statutes is amended to read:

20.575 (1) (gb) *Expedited service and telephone application for reservation of name.* The amounts in the schedule for processing of a document, record request for information or certification in an expeditious manner under s. 14.38 (9), 179.16 (5), 180.87 (1) (t), 181.68 (1) (k) or 185.83 (1) (h) and for taking telephone applications to reserve a name under s. 179.03 (2), 180.08 (2), 181.07 (2) or 185.045. All expedited service fees collected under ss. 14.38 (9), 179.16 (5), 180.87 (1) (t), 181.68 (1) (k) and 185.83 (1) (h) and all fees for telephone application to reserve a name collected under s. 179.03 (2), 180.87 (1) (f), 181.68 (1) (g) or 185.045 shall be credited to this appropriation.

SECTION 460. 20.665 (1) (cm) of the statutes is amended to read:

20.665 (1) (cm) *Contractual agreements.* ~~Biennially,~~ The amounts in the schedule for payments relating to contractual agreements for investigations or prosecutions or both.

SECTION 460m. 20.680 (2) (a) of the statutes is amended to read:

20.680 (2) (a) *General program operations.* The amounts in the schedule to carry into effect the functions of the director of state courts and to pay fees under s. 885.37 (4) (a) 2.

SECTION 461. 20.680 (2) (b) of the statutes is amended to read:

20.680 (2) (b) *Judicial planning and research.* ~~Biennially,~~ The amounts in the schedule for judicial planning and research.

Vetoed in Part SECTION 461m. 20.835 (2) (b) of the statutes is created to read:

~~20.835 (2) (b) *Chain of rights credit.* A sum sufficient to make the payments under s. 71.09 (12cr).~~

Vetoed in Part SECTION 470m. 20.835 (2) (cm) of the statutes is created to read:

~~20.835 (2) (cm) *Employee tax credit.* A sum sufficient to make the payments under s. 71.09 (12st).~~

Vetoed in Part SECTION 472b. 20.835 (2) (ep) of the statutes is amended to read:

~~20.835 (2) (ep) (title) *Cigarette tax and tobacco products tax refunds.* A sum sufficient to pay refunds under ss. 139.323 and, 139.325, 139.87 and 139.88.~~ **Vetoed in Part**

SECTION 473. 20.835 (3) (c) of the statutes is repealed.

SECTION 474. 20.835 (3) (d) of the statutes is amended to read:

20.835 (3) (d) *Corrections of state property tax credit payments.* A sum sufficient to make the corrections of state property tax credit payments under s. 79.10 ~~(3m) and (6m).~~

SECTION 474r. 20.835 (5) (title) of the statutes is created to read:

20.835 (5) (title) PAYMENTS IN LIEU OF TAXES.

SECTION 475. 20.855 (4) (ca) of the statutes is amended to read:

20.855 (4) (ca) *Minnesota income tax reciprocity bench mark.* ~~Biennially,~~ The amounts in the schedule to fund a bench mark study by the department of revenue of the revenue loss under s. 71.03 (3) (b).

SECTION 476. 20.855 (4) (e) of the statutes is renumbered 20.835 (5) (a) and amended to read:

20.835 (5) (a) *Payments for municipal services.* The amounts in the schedule for to make payments to for municipal services provided by municipalities to state facilities, as determined under s. 70.119 (7).

SECTION 477m. 20.855 (4) (fa) of the statutes is amended to read:

20.855 (4) (fa) *General fund loan to the investment and local impact fund board.* As a continuing appropriation, the amounts in the schedule to be disbursed as a ~~general fund loan~~ to the investment and local impact board for the purposes of s. 70.395 whenever the unencumbered balances of the appropriations under s. 20.566 (7) (e) and (v) are zero. On July 1, 1988 the effective date of this paragraph ... [revisor inserts date], the unencumbered balance of this appropriation shall lapse to the general fund ~~and the investment and local impact fund board shall pay to the general fund from the investment and local impact fund an amount equal to the amount of the general fund loan made under this paragraph, or the unencumbered balance in the appropriation under s. 20.566 (7) (v), whichever is greater. If there are insufficient funds in the investment and local impact fund to repay in full the principal and interest on the general fund loan made under this paragraph on such date, interest of 3% per year on the balance due shall accrue to the general fund. Commencing on July 1, 1988, the board shall pay quarterly to the general fund any amounts in the investment and local impact fund or the balance due on the general fund loan made under this paragraph including interest, whichever is less, until the general fund loan made under this paragraph is repaid in full.~~

SECTION 478. 20.855 (4) (fb) of the statutes is repealed.

SECTION 478m. 20.855 (4) (fc) of the statutes is created to read:

20.855 (4) (fc) *Badger state games assistance*. The amounts in the schedule to provide financial assistance to the 1987-88 badger state games.

SECTION 478n. 20.855 (4) (fc) of the statutes, as created by 1987 Wisconsin Act (this act), is repealed.

SECTION 479g. 20.855 (4) (s) of the statutes is created to read:

20.855 (4) (s) *Transfer to conservation fund; motorboat formula*. From the transportation fund, a sum sufficient in an amount equal to the amount to be paid into the conservation fund as determined under s. 25.29 (1) (c). The amounts may be paid at such intervals during each fiscal year as the secretary of administration deems appropriate or necessary.

SECTION 481. 20.865 (1) (fn) of the statutes is amended to read:

20.865 (1) (fn) *Physically handicapped supplements*. ~~Biennially, the~~ 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 employe, who without which could not perform the responsibilities of the position to which he or she is appointed. Payment for service acquisition under the paragraph may not be made for a period of more than 3 months per employe.

SECTION 486. 20.865 (2) (a) of the statutes is amended to read:

20.865 (2) (a) *Space management supplements*. ~~Biennially, the~~ The amounts in the schedule to finance the costs of remodeling, moving, additional rental costs and move-related vacant space costs incurred by state agencies.

SECTION 487. 20.865 (2) (ag) of the statutes is amended to read:

20.865 (2) (ag) *State-owned office rent supplement*. ~~Biennially, the~~ The amounts in the schedule to cover costs in excess of budgeted amounts as a result of increased rental rates in state-owned buildings which are approved by the building commission.

SECTION 488. 20.865 (2) (b) of the statutes is repealed.

SECTION 489. 20.865 (2) (e) of the statutes is amended to read:

20.865 (2) (e) *Maintenance of capitol and executive residence*. The amounts in the schedule for the cost of operations, protective services and maintenance of the capitol building and the executive residence, including minor projects approved under s. 13.48 (3) or (10) or 16.855 (16), to be paid into the appropriation made under s. 20.505 ~~(4) (k)~~ (5) (ka).

SECTION 490. 20.865 (3) (b) of the statutes is repealed.

SECTION 491. 20.865 (3) (h) of the statutes is repealed.

SECTION 492. 20.865 (3) (i) of the statutes is created to read:

20.865 (3) (i) *Payments for municipal services; 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 make payments for municipal services provided by municipalities to state facilities, as determined under s. 70.119 (7) (b), for the administration of programs financed from program revenue or program revenue-service appropriations, except program revenue derived from academic student fees levied ~~or gifts, grants, bequests or devices received~~ by the board of regents of the university of Wisconsin system.

Vetoed
in Part

SECTION 493. 20.865 (3) (r) of the statutes is repealed.

SECTION 494. 20.865 (3) (s) of the statutes is created to read:

20.865 (3) (s) *Payments for municipal services; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state agencies to make payments for municipal services provided by municipalities to state facilities, as determined under s. 70.119 (7) (b), for the administration of programs financed from segregated revenue appropriations, except ~~segregated revenue derived from trust fund income received by the board of regents of the university of Wisconsin system.~~

Vetoed
in Part

SECTION 496. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest*. A sum sufficient from moneys appropriated under ss. 20.115 (5) (j), 20.225 (1) (c), 20.245 (2) (e) ~~and (j)~~, (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db) and (gb), 20.370 (1) (kc), (4) (jb), (jc) and (jd) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.435 (2) (ee), (3) (e), (ec) and (ko) and (5) (e), 20.455 (2) (cm), 20.465 (1) (d), 20.485 (1) (f) and (3) (t), 20.505 (5) (kc) and 20.867 (1) (a), ~~and (b) and (i)~~ and (3) (a), (b), (g), (h) and (i) for the payment of principal and interest on public debt acquired in accordance with ch. 18.

SECTION 497b. 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 ~~\$473,807,100~~ \$566,701,100 for this purpose.

SECTION 497d. 20.866 (2) (t) of the statutes is amended to read:

20.866 (2) (t) *University of Wisconsin; self-amortizing 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 self-amortizing educational facilities. The state may contract public debt in an amount not to exceed \$93,355,100 \$121,066,600 for this purpose.

SECTION 497eb. 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 \$604,711,400 \$668,011,400 for this purpose.

SECTION 497ed. 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 \$193,600,000 \$200,600,000 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 497ef. 20.866 (2) (tp) of the statutes is amended to read:

20.866 (2) (tp) (title) *Natural resources; recreation facilities and projects.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop or enlarge state recreation facilities and to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities projects under s. 30.92 33.40. The state may contract public debt in an amount not to exceed \$56,055,000 for this purpose. Of this amount, \$1,200,000 is allocated to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities projects under s. 30.92 33.40.

SECTION 497eh. 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 \$3,512,500 \$5,675,000 for this purpose.

SECTION 497ej. 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 and for acquiring, constructing, developing, enlarging and improving state recreation facilities and state forest lands. The state may contract public debt in an amount not to exceed \$25,653,600 \$36,403,600 for this purpose. ~~Of this amount, \$2,000,000 is allocated to fund land acquisition to protect the lower Wisconsin river corridor and \$1,000,000 is allocated to fund land acquisition for the Ice Age Trail and associated lands.~~

Vetoed
in Part

SECTION 497eL. 20.866 (2) (tt) of the statutes is amended 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 \$2,000,000 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 497h. 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 \$44,766,300 \$46,610,300 for this purpose.

SECTION 497j. 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 \$180,495,100 \$182,961,100 for this purpose.

SECTION 497k. 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 \$112,156,000

Vetoed
in Part

\$63,676,300 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 497m. 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 \$48,507,100 ~~\$37,545,100~~ 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 497mc. 20.866 (2) (xc) of the statutes is amended to read:

20.866 (2) (xc) *Building commission; refunding tax supported general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to finance facilities in which general obligation bonds are paid from general purpose revenue. The state may contract public debt in an amount not to exceed \$70,000,000 \$520,000,000 for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred for tax-supported facilities 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 497mg. 20.866 (2) (xd) of the statutes is amended to read:

20.866 (2) (xd) *Building commission; refunding self-amortizing general obligation debt.* From the capital improvement fund, a sum sufficient to refund the whole or any part of any unpaid indebtedness used to

finance facilities in which general obligation bonds are repaid from program revenues or segregated funds. The state may contract public debt in an amount not to exceed \$30,000,000 \$100,000,000 for this purpose. Such indebtedness shall be construed to include any premium and interest payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred for self-amortizing facilities 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 497n. 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 \$34,500,000 \$14,500,000 for this purpose.~~

SECTION 497o. 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 \$160,118,000 \$239,911,000 for this purpose.

SECTION 497p. 20.866 (2) (zd) of the statutes is amended to read:

20.866 (2) (zd) *Educational communications facilities.* From the capital improvement fund, a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed \$3,795,600 \$5,879,600 for this purpose.

SECTION 497q. 20.866 (2) (ze) of the statutes is created to read:

20.866 (2) (ze) *Historical society; self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the historical society to acquire, construct, develop, enlarge or improve facilities at the circus world museum at Baraboo. The state may contract public debt in an amount not to exceed \$770,000 for this purpose.

SECTION 497r. 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 \$5,664,700 \$6,842,700 for this purpose.

Vetoed
in Part

SECTION 497s. 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 ~~\$5,086,200~~ \$6,544,200 for this purpose.

SECTION 497t. 20.866 (2) (zm) of the statutes is amended to read:

20.866 (2) (zm) *Veterans affairs, Wisconsin veterans home.* From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at the Wisconsin veterans home. The state may contract public debt in an amount not to exceed ~~\$2,356,000~~ \$2,744,000 for this purpose.

SECTION 511. 20.867 (1) (g) of the statutes is repealed.

SECTION 512. 20.867 (1) (h) of the statutes is repealed.

SECTION 513. 20.867 (1) (i) of the statutes is repealed.

SECTION 514. 20.867 (2) (b) of the statutes is created to read:

20.867 (2) (b) *Asbestos removal.* The amounts in the schedule for the removal of asbestos from state-owned facilities.

SECTION 515. 20.867 (2) (c) of the statutes is created to read:

20.867 (2) (c) *Hazardous materials removal.* The amounts in the schedule for the removal of hazardous materials from state-owned facilities.

SECTION 516. 20.867 (2) (d) of the statutes is created to read:

20.867 (2) (d) *Minimum health and safety maintenance.* The amounts in the schedule for necessary health and safety maintenance of state-owned facilities.

SECTION 517. 20.867 (2) (f) of the statutes is amended to read:

20.867 (2) (f) *Facilities maintenance and improvement.* Biennially As a continuing appropriation, the amounts in the schedule for the purposes of carrying out the long-range building program under s. 13.48. The amounts provided under this paragraph shall be transferred to the appropriation made by par. (q) to carry out the purposes of that paragraph. ~~Notwithstanding s. 20.001 (3) (b), all amounts thus transferred and all prior appropriations made under the authority of this paragraph are nonlapsing.~~

SECTION 517m. 20.867 (3) (h) of the statutes is amended to read:

20.867 (3) (h) *Principal repayment and interest.* A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing facilities enumer-

ated under ss. 20.115 (5) (j), 20.245 (2) (j), 20.285 (1) (gb) and 20.370 (8) (Ls) if moneys available in those appropriations are insufficient to make full payment. All amounts advanced under the authority of this paragraph shall be repaid to the general fund whenever the balance of the appropriation for which the advance was made is sufficient to meet any portion of the amount advanced. The department of administration may take whatever action is deemed necessary including the making of transfers from other program revenue appropriations and corresponding appropriations from program receipts in segregated funds, to ensure recovery of the amounts advanced.

SECTION 518. 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. 20.395 (4) (er) and (es), 20.505 (1) ~~(j)~~ (im), (ka), (kb), (kd) and (kg) and 20.855 (8) (k), ~~(ka) and (kb) and (kc)~~ in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.395 (4) (er) and (es), 20.505 (1) ~~(j)~~ (im), (ka), (kb), (kd) and (kg) and 20.855 (8) (k), ~~(ka) and (kb) and (kc)~~. The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the 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).

SECTION 524. 20.923 (intro.) of the statutes is amended to read:

20.923 Statutory salaries. (intro.) ~~It is the finding of the legislature that the current wide diversity of salary setting authority has resulted in inequitable and disparate relationships between and among administrative positions in the several branches of government, and that~~ The purpose of this section is to establish a consistent and equitable salary setting mechanism should be established for these positions. ~~To effectuate this finding, all elected officials, appointed department and state agency heads, division administrators and other executive-level unclassified positions and higher education administrative positions, unless specifically excepted by law, shall be assigned to the appropriate executive salary group among the 10 executive salary groups and all.~~ All such included positions shall be subject to the same basic salary establishment, implementation, modification, administrative control and application procedures. The salary-setting mechanism contained in this section shall be directed to establishing salaries that are determined on a comprehensive systematic basis, bear equitable relationship to each other and to the salaries of ~~their~~ classified service subordinates, and be

reviewed and established with the same frequency as those of state employes in the classified service.

SECTION 526. 20.923 (4) (a) 2m of the statutes is created to read:

20.923 (4) (a) 2m. Health and social services, department of: director of prison industries.

SECTION 527m. 20.923 (4) (a) 2n of the statutes is created to read:

20.923 (4) (a) 2n. Joint survey committee on retirement systems: research director.

SECTION 527r. 20.923 (4) (b) 1 of the statutes is repealed.

SECTION 529. 20.923 (4) (b) 4 of the statutes is created to read:

20.923 (4) (b) 4. Judicial commission: executive director.

SECTION 531. 20.923 (4) (c) 1 of the statutes is created to read:

20.923 (4) (c) 1. Administration, department of: director of federal-state relations office.

SECTION 531m. 20.923 (4) (d) 8m of the statutes is repealed.

SECTION 532. 20.923 (4) (d) 10 of the statutes is renumbered 20.923 (4) (e) 7 and amended to read:

20.923 (4) (e) 7. Military affairs, department of: adjutant general.

SECTION 532m. 20.923 (4) (e) 2m of the statutes is repealed.

SECTION 532r. 20.923 (4) (e) 12 of the statutes is renumbered 20.923 (4) (g) 9.

SECTION 533m. 20.923 (5) of the statutes is amended to read:

20.923 (5) UNIVERSITY OF WISCONSIN SYSTEM POSITIONS. Except for those positions designated in sub. (4), associate and assistant vice presidents of the university of Wisconsin system; vice chancellors not identified in sub. (8), assistant chancellors, associate and assistant vice chancellors and assistants to the chancellors, along with administrative directors and associate directors of activities coded as physical plant, general operations and services and auxiliary enterprises or their equivalent, of the several campuses of the university of Wisconsin system shall be assigned to specific executive salary ranges by the board of regents of the university of Wisconsin system in whatever manner the board determines. The salaries for such positions shall be limited only by the maximum of the respective salary range. No position under this subsection may be assigned to a salary group higher than executive salary group 5. ~~Any official affected by this subsection whose salary exceeds the maximum of group 5 on August 5, 1973, shall remain at his current rate of pay as provided in sub. (15) 6.~~ This subsection shall take effect upon its enactment and the assignments to the respective salary ranges shall be completed and reported to the governor and the legislature as soon as practicable but not later than January 1, 1975. Thereafter, the board of regents shall annually review the assignment of the positions under this sub-

section and report any changes therein to the governor and the legislature.

SECTION 534. 20.923 (6) (intro.) of the statutes is amended to read:

20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the following positions may be set by the appointing authority, subject to restrictions otherwise set forth in the statutes and the compensation plan under s. 230.12, ~~except where the salaries are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91.~~

Vetoed
in Part

SECTION 535. 20.923 (6) (af) of the statutes is repealed.

SECTION 536. 20.923 (6) (am) of the statutes is amended to read:

20.923 (6) (am) Each ~~elected~~ elective executive officer: a stenographer.

SECTION 537. 20.923 (6) (as) of the statutes is created to read:

20.923 (6) (as) Each elective executive officer other than the attorney general and superintendent of public instruction: a deputy or assistant.

SECTION 538. 20.923 (6) (b) of the statutes is created to read:

20.923 (6) (b) Educational communications board: unclassified professional staff.

SECTION 539. 20.923 (6) (cm) of the statutes is created to read:

20.923 (6) (cm) Judicial commission: staff member.

SECTION 539m. 20.923 (6) (hm) of the statutes is created to read:

20.923 (6) (hm) Public defender board: staff attorneys.

SECTION 540. 20.923 (8) of the statutes is amended to read:

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2) and 551.51 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer, associate director of the historical society, deputy director of the council on criminal justice and the deputy or vice chancellor of any university of Wisconsin campus who is clearly serving in a line capacity as a deputy responsible for assisting the chancellor in directing all campus programs shall be treated as unclassified deputies for pay purposes under this subsection.

SECTION 540a. 20.923 (8) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2) and 551.51 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary

range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer, associate director of the historical society, and the deputy or vice chancellor of any university of Wisconsin campus who is clearly serving in a line capacity as a deputy responsible for assisting the chancellor in directing all campus programs shall be treated as unclassified deputies for pay purposes under this subsection.

~~SECTION 541c. 21.49 (2) (intro.) of the statutes is amended to read:~~

Vetoed
in Part

~~21.49 (2) ELIGIBLE GUARD MEMBER. (intro.) Eligibility for a tuition grant under this section is limited to an active guard member who is a new enlistee to the guard, as determined by the department of military affairs, and who is not:~~

~~SECTION 541g. 21.49 (2) (a), (b) and (d) of the statutes are repealed.~~

SECTION 541m. 21.49 (2) (e) of the statutes is created to read:

21.49 (2) (e) Delinquent in child support or maintenance payments, as established by the receipt by the department of military affairs of a certification under s. 46.255 (7).

SECTION 542c. 21.49 (3) (a) of the statutes is amended to read:

21.49 (3) (a) Any eligible guard member upon satisfactory completion of a full-time or part-time course in a qualifying school is entitled to eligible for a tuition grant equal to 50% of the actual tuition charged by the school or 50% of the maximum resident tuition charged by the university of Wisconsin-Madison campus for a comparable portion of the academic year, whichever amount is less, not exceeding \$10 per credit, up to 12 credits in any one semester.

Vetoed
in Part

SECTION 543. 21.49 (3) (c) and (d) of the statutes are amended to read:

21.49 (3) (c) Upon determination that the applicant is eligible to receive the payment, the department of veterans affairs shall certify to the department of military affairs that the tuition grant shall be awarded. After Except as provided in par. (d), after receiving the certification, the department of military affairs shall make payment of the tuition grant to the applicant in the amount determined under par. (a) by the department of veterans affairs.

(d) Tuition grants under this section shall be paid out of the appropriation under s. 20.465 (2) (a). If the amount of funds applied for exceeds the amount available under s. 20.465 (2) (a), the department of veterans affairs shall not prorate grants but may deny grants. In such cases, the department of veterans affairs shall determine eligibility on the basis of the dates of enlistment on which applications for tuition grants are received by the department of veterans affairs.

SECTION 543b. 23.09 (2) (d) 9 of the statutes is created to read:

23.09 (2) (d) 9. For any other purpose for which gift lands are suitable, as determined by the department.

SECTION 543f. 23.09 (2) (k) of the statutes is amended to read:

23.09 (2) (k) Research. Conduct research ~~in improved conservation methods, and to improve management of natural resources,~~ disseminate information to the residents of Wisconsin ~~in conservation on natural resources matters and receive funds from any public or private source for research projects.~~

SECTION 543k. 23.09 (2) (o) of the statutes is amended to read:

23.09 (2) (o) Gifts and grants. ~~The department may accept~~ Accept and administer any gifts, grants, bequests and devises, including funds made available to ~~it~~ the department by the federal government under any act of congress relating to any of the functions of the department; ~~but all.~~ All funds included in such gifts, grants, bequests and devises received or expected to be received by the department in a biennium shall be included in the statement of its actual and estimated receipts and disbursements for such biennium required to be contained in the biennial state budget report under s. 16.46, and shall be deemed to be and treated the same as other actual and estimated receipts and disbursements of the department. The department may acknowledge the receipt of any funding from a particular person or group in any department pamphlet, bulletin or other publication.

~~SECTION 543m. 23.09 (12) (am) of the statutes is created to read:~~

~~23.09 (12) (am) On and after the effective date of this paragraph ... [revisor inserts date], no county may establish or carry out a program of coordinated fish management projects within the Yahara watershed, as defined in s. 33.01 (11).~~

Vetoed
in Part

SECTION 543p. 23.09 (25) (e) of the statutes is amended to read:

23.09 (25) (e) The department shall administer a ~~local waterfront~~ park aid program from moneys appropriated under s. 20.370 (4) (bp) and (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 ~~of the Yahara watershed management district~~ for the development of a local waterfront park. ~~The~~ There is no 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, subject to approval by the Wisconsin waterways commission and with highest priority given to projects involving the development of a local waterfront park that provides water-based public recreation opportunities in counties with a population of 500,000 or more.~~ The application

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

shall be in the form and include the information that the department prescribes.

SECTION 543q. 23.09 (25) (e) of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed and recreated to read:

Vetoed
in Part

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 ~~or to the Water watershed management district~~, if the applicant submits an application by March 15 of each year, beginning in 1989, 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 543s. 23.27 (4) of the statutes is amended to read:

23.27 (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.

SECTION 543w. 23.40 (3) (b) of the statutes is amended to read:

23.40 (3) (b) The amount of the environmental impact statement fee shall equal the full cost of the preparation of the environmental impact statement and the full cost of any preapplication services if the department enters into a preapplication service agreement. These costs shall include the cost of authorized consultant services and the costs of printing and postage.

SECTION 543y. 23.40 (3) (d) of the statutes is amended to read:

23.40 (3) (d) The department shall deposit any environmental impact statement fee in the general fund and shall designate clearly ~~that part~~ the amount of the fee related to the cost of authorized environmental consultant services and the amount of the fee related to the cost of printing and postage.

SECTION 544c. 23.50 (1) of the statutes is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable natural resources

assessments and applicable natural resources restitution payments for violations of ss. 134.60 and 167.31 (2), this chapter and chs. 26 to 31 and 350, and any administrative rules promulgated thereunder and violations of local ordinances enacted by any local authority in accordance with s. 30.77.

SECTION 544e. 23.50 (2) of the statutes is amended to read:

23.50 (2) All actions to recover these forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable natural resources assessments and applicable natural resources restitution payments are civil actions in the name of the state of Wisconsin, shall be heard in the circuit court for the county where the offense occurred, and shall be recovered under the procedure set forth in ss. 23.50 to 23.85.

SECTION 544m. 23.50 (3) of the statutes is amended to read:

23.50 (3) All actions in municipal court to recover forfeitures ~~and~~ penalty assessments ~~and~~ jail assessments for violations of local ordinances enacted by any local authority in accordance with s. 30.77 shall utilize the procedure in ch. 800. ~~Such~~ The actions shall be brought before the municipal court having jurisdiction. Provisions relating to citations, arrests, questioning, releases, searches, deposits and stipulations of no contest in ss. 23.51 (1), (3) and (8), 23.53, 23.54, 23.56 to 23.64, 23.66 and 23.67 shall apply to violations of such ordinances.

SECTION 544p. 23.51 (3m) of the statutes is created to read:

23.51 (3m) "Jail assessment" means the assessment imposed by s. 53.46 (1).

SECTION 544q. 23.51 (8) of the statutes is amended to read:

23.51 (8) "Violation" means conduct which is prohibited by state law or municipal ordinance and punishable by a forfeiture ~~and~~ a penalty assessment and a jail assessment.

SECTION 544r. 23.53 (1) of the statutes is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable natural resources assessments and applicable natural resources restitution payments for violations of those statutes enumerated in s. 23.50 (1) and any administrative rules promulgated thereunder, be used by any law enforcement officer with authority to enforce those laws, except that the uniform traffic citation created under s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s. 167.31. In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The citation may be used for violations of local ordinances enacted by any local authority in accordance with s. 30.77.

SECTION 544s. 23.54 (3) (e) of the statutes is amended to read:

23.54 (3) (e) The maximum forfeiture, penalty assessment, jail assessment, applicable weapons assessment, applicable natural resources assessment and applicable natural resources restitution payment for which the defendant might be found liable.

SECTION 550a. 23.54 (3) (i) of the statutes is amended to read:

23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including ~~the fee~~ any applicable fees prescribed in ~~ss. 814.63 (1) and 814.635~~, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 550c. 23.54 (3) (j) of the statutes is amended to read:

23.54 (3) (j) Notice that if the defendant makes a deposit and signs the stipulation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including ~~the fee~~ any applicable fees prescribed in ~~ss. 814.63 (1) and 814.635~~, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and stipulation, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effects of the stipulation.

SECTION 550dp. 23.55 (1) (b) of the statutes is amended to read:

23.55 (1) (b) A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the statute upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment, any applicable natural resources restitution payment and such other relief that is sought by the plaintiff.

SECTION 550dq. 23.56 (2) of the statutes is amended to read:

23.56 (2) In actions to collect forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable natural resources assessments and applicable natural resources restitution payments, the judge who issues a warrant under sub. (1) may endorse upon the warrant the amount of the deposit.

If no endorsement is made, the deposit schedule under s. 23.66 shall apply, unless the court directs that the person be brought before the court.

SECTION 550e. 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, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including ~~the fee~~ any applicable fees prescribed in ~~ss. 814.63 (1) and 814.635~~, 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 550g. 23.66 (4) of the statutes is amended to read:

23.66 (4) The basic amount of the deposit shall be determined in accordance with a deposit schedule which the judicial conference shall establish. Annually, the judicial conference shall review and may revise the schedule. In addition to the basic amount determined according to the schedule, the deposit shall include court costs, including ~~the fee~~ any applicable fees prescribed in ~~ss. 814.63 (1) and 814.635~~, any applicable penalty assessment, any applicable jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment.

SECTION 550i. 23.67 (2) of the statutes is amended to read:

23.67 (2) The deposit and stipulation of no contest may be made at any time prior to the court appearance date. By signing the stipulation, the defendant is deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including ~~the fee~~ any applicable fees prescribed in ~~ss. 814.63 (1) and 814.635~~, not to exceed the amount of the deposit.

SECTION 550k. 23.67 (3) of the statutes is amended to read:

23.67 (3) The person receiving the deposit and stipulation of no contest 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 the stipulation of no contest is accepted by the court the defendant will be deemed to have submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus costs, including ~~the fee~~ any applicable fees prescribed in ~~s. ss. 814.63 (1) and 814.635~~, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

SECTION 550m. 23.75 (3) (b) of the statutes is amended to read:

23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus ~~the fee~~ any applicable fees prescribed in ~~s. ss. 814.63 (1) and 814.635~~, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

SECTION 550p. 23.75 (3) (c) of the statutes is amended to read:

23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment plus ~~the fee~~ any applicable fees prescribed in ~~s. ss. 814.63 (1) and 814.635~~, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in

response to the summons, the court shall issue an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects thereof. If the defendant is relieved from the stipulation of no contest, the court may order a citation or complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law.

SECTION 550r. 23.79 (1) of the statutes is amended to read:

23.79 (1) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture provided by the statute for the violation, the penalty assessment, the jail assessment, any applicable weapons assessment, any applicable natural resources assessment, any applicable natural resources restitution payment and for costs.

SECTION 550s. 23.79 (2) of the statutes is amended to read:

23.79 (2) The payment of any judgment may be suspended or deferred for not more than 90 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments, weapons assessments, natural resources assessments, natural resources restitution payments and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 550t. 23.80 (2) of the statutes is amended to read:

23.80 (2) Upon default of the defendant corporation or municipality, or upon conviction, judgment for the amount of the forfeiture, the penalty assessment, the jail assessment, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be entered.

SECTION 550u. 23.84 of the statutes is amended to read:

23.84 (title) Forfeitures and assessments collected; to whom paid. Except for actions in municipal court, all moneys collected in favor of the state or a municipality for forfeiture, penalty assessment, jail assessment, applicable weapons assessment, applicable natural resources assessment and applicable natural resources restitution payment shall be paid by the officer who collects the same to the appropriate municipal or county treasurer, within 20 days after its receipt by the officer, except that all jail assessments shall be paid to the county treasurer. In case of any failure in such ~~the~~ payment, the municipal or county treasurer may collect the payment from the officer by an action in the treasurer's name of office and upon the official bond

of the officer, with interest at the rate of 12% per year from the time when it should have been paid.

SECTION 550v. 23.85 of the statutes is amended to read:

23.85 Statement to county board; payment to state. Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures, penalty assessments, jail assessments, weapons assessments, natural resources assessments and natural resources restitution payments money received during the year next preceding. The county clerk shall deduct all expenses incurred by the county in recovering such those forfeitures, penalty assessments, weapons assessments, natural resources assessments and natural resources restitution payments from the aggregate amount so received, and shall immediately certify to the county treasurer the amount of clear proceeds of such those forfeitures, penalty assessments, weapons assessments, natural resources assessments and natural resources restitution payments, so ascertained, who shall pay such the proceeds to the state treasurer as provided in s. 59.20. Jail assessments shall be treated separately as provided in s. 53.46.

Vetoed
in Part

~~SECTION 552b. 24.60 (2) of the statutes is amended to read:~~

~~24.60 (2) "Municipality" means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under s. 60.71, metropolitan sewerage district created under s. 66.22 or 66.882, joint sewerage system created under s. 144.07 (4), school district or vocational, technical and adult education district or the Yahara watershed management district.~~

~~SECTION 552m. 24.61 (3) (a) 4m of the statutes is created to read:~~

~~24.61 (3) (a) 4m. The Yahara watershed management district for the purposes of the exercise of its powers under ss. 33.42 to 33.48.~~

~~SECTION 552s. 24.66 (2n) of the statutes is created to read:~~

~~24.66 (2n) FOR THE YAHARA WATERSHED MANAGEMENT DISTRICT. Every application shall be approved and authorized for the Yahara watershed management district by a majority of the commissioners of the district.~~

SECTION 554. 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 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 554d. 25.16 (6) of the statutes is amended to read:

25.16 (6) All deeds, contracts and other documents which must be executed by or on behalf of the board shall be signed only by the executive director or, in the event of his or her absence or disability, by the assistant director unless the. The executive director may delegate the authority to execute documents to other board employees. Where the board has an interest in property, the authority to execute leases as lessor may be delegated within leasing guidelines to outside managers retained pursuant to a written contract. The members of the board or the executive director may require the countersignature of an investment director or an investment supervisor on certain documents.

SECTION 554e. 25.17 (1) (ks) of the statutes is created to read:

25.17 (1) (ks) Petroleum storage environmental cleanup fund (s. 25.47);

SECTION 554m. 25.17 (3) (bg) of the statutes is repealed.

SECTION 554p. 25.17 (8) of the statutes is amended to read:

25.17 (8) Accept when necessary to protect a mortgage loan, a quitclaim deed or warranty deed to the mortgaged property in full satisfaction of the mortgage debt, and manage, operate, lease, exchange, sell and convey, by land contract, quitclaim deed or warranty deed, and grant easement rights in, any real property acquired by said board. Any lease, land contract, quitclaim deed, warranty deed, easement, satisfaction of mortgage, partial release of mortgage, or any other instrument relating to real property in which said board has an interest shall be executed on behalf of said board by the executive director.

SECTION 555. 25.18 (2) of the statutes is created to read:

25.18 (2) In addition to the powers set forth in sub. (1) and s. 25.17, the investment board may:

(a) Nominate employees, members, agents or other representatives of the board to serve as directors of corporations, companies, associations or any other legal entities and allow them to serve as such representing the board. Notwithstanding ss. 19.56 (3) and 25.16 (2), members, agents or other representatives of the board, except employees, may retain any compen-

sation paid to them as directors. An employe of the board who receives compensation for serving as a director shall deposit the compensation with the board.

(b) Have its employes, agents or other representatives represent the board in meetings of shareholders, partnerships or associations.

(c) Have any of its employes serve as an officer of a corporation in which it owns voting stock, or have any of its employes serve as an officer of a company, joint venture or association in which it owns an interest.

(d) Insure against from the current income of any fund or trust, or pay out of current income of any fund or trust, amounts arising from any acts of employes, members or agents of the board acting as officers or directors of a company in which the board has invested the moneys in the fund or trust.

(e) Contract with and delegate to investment advisers the management and control over assets from any fund or trust delivered to such investment advisers for investment in real estate, mortgages, equities, debt of foreign corporations and debt of foreign governments, and pay such advisers fees from the current income of the fund or trust being invested. No more than 10% of the total assets of the fixed retirement investment trust or 10% of the total assets of the variable retirement investment trust may be delivered to investment advisers. The board shall set performance standards for such investment advisers, monitor such investments to determine if performance standards are being met and if an investment adviser does not consistently meet the performance standards then terminate the contract with such investment adviser.

SECTION 555m. 25.185 of the statutes is created to read:

25.185 Minority financial advisers and investment firms. (1) In this section, "minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

(2) The investment board shall attempt to ensure that 5% of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of minority financial advisers or minority investment firms.

(3) The investment board shall annually report to the department of administration the total amount of moneys expended under sub. (2) for common stock and convertible bond brokerage commissions, the services of minority financial advisers and the services of minority investment firms during the preceding fiscal year.

SECTION 555r. 25.29 (1) (c) of the statutes is created to read:

25.29 (1) (c) An amount equal to the estimated motorboat gas tax payment. The estimated motorboat gas tax payment is calculated by multiplying the number of motorboats registered under s. 30.52 on

January 1 of the previous fiscal year by 50 gallons, ~~multiplying that product by 118~~ and multiplying that product by the excise tax imposed under s. 78.01 (1) on April 1 of the previous fiscal year. **Vetoed in Part**

SECTION 556c. 25.29 (3) (c) of the statutes is created to read:

25.29 (3) (c) As provided in s. 20.370 (1) (Lr).

SECTION 557. 25.38 (1) (a) of the statutes is amended to read:

25.38 (1) (a) Amounts received ~~in the form of a general fund loan~~ from the appropriation under s. 20.855 (4) (fb), 1985 stats.

SECTION 558. 25.38 (2) of the statutes is amended to read:

25.38 (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, ~~and for transfer to the appropriation under s. 20.566 (8) (we), except that on February 8, 1986, \$7,500,000 in the fund from the loan under sub. (1) (a) shall lapse to the general fund.~~

SECTION 559. 25.40 (2) of the statutes 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) ~~and (rn)~~, 20.285 (1) (x), 20.292 (1) (u) and (v), 20.370 (1) (dq), (dr) and (mr), (2) ~~(aq) and (cq) and (dw)~~ and (4) (bt), ~~(bu), (bv) and (bz) and (fr)~~, 20.399 (1) (r), 20.465 (1) (q), 20.505 (2) (q), 20.566 (1) (u) and (2) (q) and 20.855 (4) (q) and (s) 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. **Vetoed in Part**

SECTION 559g. 25.40 (2) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 (2) (r) ~~and (rn)~~, 20.285 (1) (x), 20.292 (1) (u) and (v), 20.370 (1) (dq), (dr) and (mr), (2) (cq) and (4) (bt) and (bz), 20.399 (1) (r), 20.465 (1) (q), 20.505 (2) (q), 20.566 (1) (u) and (2) (q) and 20.855 (4) (q) and (s) 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. **Vetoed in Part**

SECTION 559m. 25.46 (1) of the statutes is amended to read:

25.46 (1) The fees and surcharges imposed under s. 144.442 (2) and (3);

SECTION 559s. 25.46 (2) of the statutes is amended to read:

25.46 (2) All moneys recovered under s. 144.442 (9); ~~and.~~

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SECTION 569g. 25.46 (4) of the statutes is created to read:

25.46 (4) All moneys received under s. 94.68 (4) (c).

SECTION 569L. 25.46 (4m) of the statutes is created to read:

25.46 (4m) All moneys received under s. 20.445 (1) (j).

SECTION 569m. 25.46 (7) of the statutes is created to read:

25.46 (7) All moneys received from municipalities under s. 144.442 (8) (c).

Vetoed in Part SECTION 569n. 25.46 (8) of the statutes is created to read:

~~25.46 (8) All moneys received from fees under s. 144.442 (1s).~~

SECTION 569q. 25.47 of the statutes is created to read:

25.47 Petroleum storage environmental cleanup fund. There is established a separate nonlapsible trust fund designated as the petroleum storage environmental cleanup fund, to consist of the fees imposed under s. 168.12 (1m) and moneys received under s. 144.442S ~~(1s).~~

Vetoed in Part

SECTION 569r. 25.48 (2) of the statutes is amended to read:

25.48 (2) The fees ~~and late payment fees imposed specified under s. 94.681 (2)~~ 94.68 (4) (b).

SECTION 569t. 25.48 (7) of the statutes is amended to read:

25.48 (7) The fees imposed under s. 147.033 (1).

SECTION 570. 25.50 (10) of the statutes is created to read:

25.50 (10) **INSURANCE OF PRINCIPAL.** The state treasurer may obtain insurance for the safety of the principal investments of the fund. The insurance is a reimbursable expense under sub. (7).

SECTION 571. 25.70 of the statutes is amended 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. Unless the board of curators of the historical society determines otherwise in each case, only the income from the assets in the historical society trust fund is available for expenditure. In this section, unless otherwise provided in the gift, grant, or bequest or devise, principal and income are determined as provided under s. 701.20 (3).

SECTION 571ag. 26.08 (2) (b) of the statutes is amended to read:

26.08 (2) (b) The department may lease Rib Mountain state park lands and Willow river state park lands for terms not exceeding 30 years.

SECTION 571b. 27.01 (7) (c) 6 of the statutes is amended to read:

27.01 (7) (c) 6. Any vehicle, except a motor bus, occupied by a person holding a senior citizen recreation card issued under s. 29.095;

SECTION 571d. 27.01 (7) (c) 7 of the statutes is amended to read:

27.01 (7) (c) 7. Any vehicle, except a motor bus, occupied by a person holding a conservation patron license issued under s. 29.1475;

SECTION 571f. 27.01 (7) (d) of the statutes is amended to read:

27.01 (7) (d) *Issuance of vehicle admission stickers.* An annual vehicle admission sticker shall be issued by the department and is valid for the calendar year for which it is issued. An annual vehicle admission sticker may not be issued by the department for a motor bus. A daily vehicle admission sticker shall be issued by the department, shall state the date for which it is issued and is effective only for the date issued.

SECTION 571h. 27.01 (7) (f) of the statutes is amended to read:

27.01 (7) (f) *Resident vehicle admission stickers; fees.* 1. The fee for an annual vehicle admission sticker is ~~\$12~~ \$14 for each vehicle which has Wisconsin registration plates, except that no fee is charged for a sticker issued under s. 29.1475 (6).

2. ~~The~~ Except as provided in subds. 3 and 4, the fee for the a daily vehicle admission sticker is ~~\$3~~ \$3.50 for any vehicle which has Wisconsin registration plates.

SECTION 571j. 27.01 (7) (f) 3 of the statutes is created to read:

27.01 (7) (f) 3. The fee for a daily vehicle admission sticker for a motor bus is an amount calculated by multiplying 50 cents by the number of persons in the motor bus, except persons who hold a senior citizen recreation card issued under s. 29.095 or a conservation patron license issued under s. 29.1475, for any motor bus which has Wisconsin registration plates.

SECTION 571k. 27.01 (7) (f) 4 of the statutes is created to read:

27.01 (7) (f) 4. Notwithstanding subd. 3, the fee for a daily vehicle admission sticker for a motor bus which primarily transports residents from nursing homes located in this state is \$3.50, for any motor bus which has Wisconsin registration plates.

SECTION 571L. 27.01 (7) (g) of the statutes is amended to read:

27.01 (7) (g) *Nonresident vehicle admission stickers; fees.* 1. The fee for an annual vehicle admission sticker for any vehicle which has a registration plate or plates from another state is ~~\$20~~ \$30.

2. ~~The~~ Except as provided in subds. 3 and 4, the fee for a daily vehicle admission sticker for any vehicle which has a registration plate or plates from another state is \$5 \$6.

SECTION 571n. 27.01 (7) (g) 3 of the statutes is created to read:

27.01 (7) (g) 3. The fee for a daily vehicle admission sticker for a motor bus is an amount calculated by multiplying \$1 by the number of persons in the motor bus, except persons who hold a senior citizen recreation card issued under s. 29.095 or a conservation patron license issued under s. 29.1475, for any motor bus which has a registration plate or plates from another state.

SECTION 571o. 27.01 (7) (g) 4 of the statutes is created to read:

27.01 (7) (g) 4. Notwithstanding subd. 3, the fee for a daily vehicle admission sticker for a motor bus which primarily transports residents from nursing homes located in this state is \$6, for any motor bus which has a registration plate or plates from another state.

SECTION 571p. 27.01 (9) of the statutes is amended to read:

27.01 (9) WAIVER OF FEES; SPECIAL FEES. The department may waive the fees under subs. (7) and (8) or may be waived and charge admission fees in addition to or instead of those fees ~~may be charged or authorized by the department for certain classes of persons or groups, certain areas, certain types of visitation or times of the year and~~ for admission to special scheduled events or programs.

SECTION 571r. 27.01 (10) (d) 1 to 4 of the statutes are amended to read:

27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is \$4 ~~\$6~~, including sales tax, for a resident camping party.

2. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is \$7 ~~\$10~~, including sales tax, for a nonresident camping party.

3. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is \$3.50 ~~\$5~~, including sales tax, for a resident camping party.

4. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is \$5 ~~\$8.50~~, including sales tax, for a nonresident camping party.

SECTION 571t. 27.01 (10) (d) 5 and 6 of the statutes are created to read:

27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is \$4, including sales tax, for a resident camping party.

6. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is \$6.75, including sales tax, for a nonresident camping party.

SECTION 571v. 27.01 (10) (f) of the statutes is amended to read:

27.01 (10) (f) *Waiver of fees; special fees.* The department, ~~by rule,~~ may waive camping fees, may charge reduced or additional camping fees, ~~may~~

~~charge additional camping fees or may charge special fees instead of camping fees for certain classes of persons, or groups, certain areas, certain types of camping, certain or times of the year and for admission to special events.~~

SECTION 571w. 27.01 (11) (b) of the statutes is repealed.

SECTION 571x. 27.98 of the statutes is created to read:

27.98 General penalty provision. Any person who violates any provision of this chapter or any department rule or order promulgated under this chapter for which no other penalty is prescribed is subject to a forfeiture of not more than \$100.

SECTION 571z. 28.06 (2) of the statutes is amended to read:

28.06 (2) **DISTRIBUTION.** In addition to use of planting stock on state lands, the department may distribute stock for growing forest products, for establishing windbreaks or shelterbelts, for control of soil erosion, and for game food or cover, but not for ornamental or landscape planting except by school pupils celebrating arbor day. Prices of planting stock shall be approved annually by the department and shall be based on the total cost of production and administering the forest nursery program under this section, including the cost of processing applications and producing, packaging and distributing nursery stock. To encourage forest planting, free stock may be allotted to any nonprofit organization or any school for the celebration of arbor day under s. 118.025.

SECTION 594m. 28.06 (2m) of the statutes is repealed.

~~SECTION 594x. 28.11 (8) (a) of the statutes is amended to read.~~

~~28.11 (8) (a) *Acreage payments.* As soon after April 30 of each year as feasible, the department shall pay to each town treasurer 20.40 cents per acre, based on the acreage of such lands as of the preceding June 30, as a grant out of the appropriation made by s. 20.370 (4) (ar) on each acre of county lands entered under this section.~~

SECTION 595m. 28.11 (8) (b) 1 of the statutes is amended to read:

28.11 (8) (b) 1. A county having established and maintaining a county forest under this section is eligible to receive from the state ~~out of from~~ the appropriation under s. 20.370 (4) (ar) an annual payment as a noninterest bearing loan to be used for the purchase, development, preservation and maintenance of the county forest lands and the payment shall be credited to a county account to be known as the county forestry aid fund. ~~If the county board makes no request, the county shall receive a payment of 10 cents for each acre of land entered and designated as "county forest land".~~ A county board may, by a resolution adopted during the year and transmitted to the department by December 31, request to receive ~~no payment or~~

Vetoed
in Part

~~request to receive a payment of 20, 30, 40 or not more than 50 cents for each acre of land entered and designated as "county forest land". The department shall review the request and approve the request if the request is found to be consistent with the comprehensive county forest land use plan. If any lands purchased from the fund are sold, the county shall restore the purchase price to the county forestry aid fund. The department shall pay to the county the amount due to it on or before March 31 of each year, based on the acreage of the lands as of the preceding June 30. If the amount in the appropriation under s. 20.370 (4) (ar) is not sufficient to pay all of the amounts approved by the department under this subdivision, the department shall pay eligible counties on a prorated basis.~~

SECTION 596m. 29.01 (12m) of the statutes is created to read:

29.01 (12m) "Resident senior citizen" means a resident who has attained the age of 65 years.

SECTION 600n. 29.09 (7m) (a) of the statutes is repealed.

SECTION 600p. 29.09 (7m) (b) of the statutes is amended to read:

29.09 (7m) (b) If a county retains issuing fees established under s. 29.092 (15) as permitted under sub. (7) or (10) ~~and the county board requires the county clerk to deposit collections of fees for approvals with the county treasurer, the county clerk shall deposit collections of fees for approvals with the county treasurer within one week after receipt. Payment to the department of the monthly remittance specified under sub. (7) shall then be made by the county treasurer upon written order of the county clerk. If the county board does not require collections of fees for approvals to be deposited with the county treasurer, the county clerk shall make deposits and remittances of collections of fees for approvals as required under par. (a).~~

SECTION 601g. 29.09 (9) of the statutes is renumbered 29.09 (9) (b) and amended to read:

29.09 (9) (b) After proper application and presentation of a current hunting license duly issued to the applicant, the secretary may, after due investigation and without cost, grant a special permit to any person who is unable to walk and requires a wheel chair or prosthetic appliance for mobility, to shoot or hunt from a standing ~~automobile~~ motor vehicle that is parked off a highway, as defined under s. 340.01 (22), and parked more than 50 feet from the center of a roadway, as defined under s. 340.01 (54). A person holding a permit under this subsection may hunt any deer, whether a buck or a doe, during the regular deer season, notwithstanding any other provision of this chapter to the contrary. Regardless of deer hunting party permit limits, any holder of a permit under this section may obtain a party permit deer tag without cost upon application in any area for which a party deer season has been established.

SECTION 601r. 29.09 (9) (a) of the statutes is created to read:

29.09 (9) (a) In this subsection, "motor vehicle" means a self-propelled vehicle, including any automobile, truck, snowmobile, all-terrain vehicle or other vehicle which travels on or off roads or highways.

~~SECTION 602m. 29.09 (10) (c) of the statutes is amended to read:~~

~~29.09 (10) (c) *Nonpublic issuing agents.* Deputies appointed by county clerks, other than county employees, are entitled to retain 60% two-thirds of the issuing fee. Deputies appointed by the department, other than state employees, are entitled to retain 60% two-thirds of the issuing fee.~~

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SECTION 604m. 29.092 (2) (a) of the statutes is amended to read:

29.092 (2) (a) *Resident small game.* The fee for a resident small game hunting license is \$7 ~~\$8~~.

SECTION 605m. 29.092 (2) (c) of the statutes is amended to read:

29.092 (2) (c) *Resident deer.* The fee for a resident deer hunting license is \$11.50 ~~\$13.75~~.

SECTION 606m. 29.092 (2) (e) to (h) of the statutes are amended to read:

29.092 (2) (e) *Resident archer.* The fee for a resident archer hunting license is \$11.50 ~~\$14~~.

(f) *Nonresident annual small game.* The fee for a nonresident annual small game hunting license is \$60 ~~\$65~~.

(g) *Nonresident 5-day small game.* The fee for a nonresident 5-day small game hunting license is \$30 ~~\$35~~.

(h) *Nonresident deer.* The fee for a nonresident deer hunting license is \$85 ~~\$105~~.

SECTION 607m. 29.092 (2) (j) of the statutes is amended to read:

29.092 (2) (j) *Nonresident fur-bearing animal.* The fee for a nonresident fur-bearing animal hunting license is \$125 ~~\$135~~.

SECTION 608m. 29.092 (2) (k) of the statutes is amended to read:

29.092 (2) (k) *Nonresident archer.* The fee for a nonresident archer hunting license is \$65 ~~\$75~~.

SECTION 609m. 29.092 (2) (L) of the statutes is amended to read:

29.092 (2) (L) *Wild turkey hunting stamp.* The fee for a wild turkey hunting stamp is \$11.50 ~~\$13.50~~.

SECTION 610m. 29.092 (3) (a) and (b) of the statutes are amended to read:

29.092 (3) (a) *Resident annual.* The fee for a resident annual fishing license is \$7 ~~\$8.50~~.

(b) *Resident annual husband and wife.* The fee for a resident annual husband and wife fishing license is \$12 ~~\$15~~.

SECTION 612m. 29.092 (3) (h) to (L) of the statutes are amended to read:

29.092 (3) (h) *Nonresident annual*. The fee for a nonresident annual fishing license is ~~\$18~~ \$23.50.

(i) *Nonresident annual family*. The fee for a nonresident annual family fishing license is ~~\$32~~ \$41.

(j) *Nonresident 15-day*. The fee for a nonresident 15-day fishing license is ~~\$14~~ \$14.50.

(k) *Nonresident 15-day family*. The fee for a nonresident 15-day family fishing license is ~~\$18~~ \$25.

(L) *Nonresident 4-day*. The fee for a nonresident 4-day fishing license is ~~\$8.50~~ \$11.50.

SECTION 613m. 29.092 (4) (a) of the statutes is amended to read:

29.092 (4) (a) *Resident sports license*. The minimum fee for a resident sports license is ~~\$25.50~~ \$31. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

SECTION 613r. 29.092 (4) (b) of the statutes is amended to read:

29.092 (4) (b) *Resident conservation patron license*. The fee for a resident conservation patron license is \$100 if that license is issued by the department from its central office. If a conservation patron license is not issued by the department from its central office, the fee for this license is ~~\$99.50~~ \$99.40.

SECTION 614m. 29.092 (6) (a) of the statutes is amended to read:

29.092 (6) (a) *Resident trapping*. The fee for a resident trapping license is ~~\$12~~ \$13.

SECTION 615m. 29.092 (11) (b) of the statutes is amended to read:

29.092 (11) (b) *Wild rice harvest license*. The fee for a wild rice harvest license is ~~\$4~~ \$7.50.

SECTION 616m. 29.092 (12) of the statutes is amended to read:

29.092 (12) SENIOR CITIZEN RECREATION CARD. The fee for a senior citizen recreation card is ~~\$14~~ \$15.

SECTION 617m. 29.092 (13) (a) to (d) of the statutes are amended to read:

29.092 (13) (a) *Duplicate deer hunting license*. The fee for a duplicate resident deer hunting license or a nonresident deer hunting license is ~~\$6~~ \$6.50.

(b) *Duplicate archer hunting, sports or conservation patron license*. The fee for a duplicate resident archer hunting license, nonresident archer hunting license, sports license or conservation patron license is ~~\$6~~ \$6.50 if the duplicate license includes any deer tags and ~~\$2~~ \$3 if the duplicate license is issued after the open season for hunting deer and does not include any deer tags.

(c) *Duplicate hunting license; other*. The fee for a duplicate hunting license not specified under par. (a) or (b) is ~~\$2~~ \$3.

(cm) *Duplicate bear harvest permit*. The fee for a duplicate resident bear harvest permit or a duplicate nonresident bear harvest permit is ~~\$6~~ \$13.

(d) *Duplicate fishing license*. The fee for a duplicate fishing license is ~~\$2~~ \$3.

SECTION 618m. 29.092 (15) (b) and (c) of the statutes are amended to read:

29.092 (15) (b) *License*. Except as provided under par. (c), the issuing fee for each license is ~~50~~ 60 cents.

(c) *Conservation patron license*. There is no issuing fee for a conservation patron license issued by the department from its central office. If a conservation patron license is not issued by the department from its central office, the issuing fee for this license is ~~50~~ 60 cents.

SECTION 619m. 29.092 (16) of the statutes is created to read:

29.092 (16) FEES HELD IN TRUST. All fees collected under this section for approvals issued under this chapter shall be held in trust for the state. Any person who collects, possesses or manages fees for approvals acts in a fiduciary capacity for the state.

SECTION 620m. 29.093 (3) (b) of the statutes is amended to read:

29.093 (3) (b) *Resident senior citizen fishing license*. A permanent fishing license issued to a resident senior citizen under s. 29.145 (1a) is valid from the date of issuance and ~~shall remain~~ remains valid as long as if the licensee is a resident.

SECTION 621m. 29.093 (11) (b) of the statutes is amended to read:

29.093 (11) (b) *Wild ginseng harvest license*. A wild ginseng harvest license is valid from ~~August 15~~ September 1 or the date of issuance, whichever is later, until November 1 of that same year.

SECTION 622m. 29.095 (1) of the statutes is amended to read:

29.095 (1) The department and the county clerk of each county shall issue a senior citizen recreation card, subject to s. 29.09, to any resident ~~65 years of age or older senior citizen~~ who presents satisfactory proof of age and residence.

SECTION 623m. 29.095 (2) of the statutes is amended to read:

29.095 (2) The recreation card entitles the holder to exercise all of the combined rights and privileges conferred by a resident small game hunting license and resident fishing license, subject to all duties, conditions, limitations and restrictions prescribed under this chapter and by department order. The card permits any vehicle, except a motor bus, as defined in s. 340.01 (31), having a card holder as an occupant to enter any vehicle admission area under s. 27.01 ~~(2r)~~ (7) without having an admission sticker affixed to it and ~~no~~ without paying a fee may be charged for the vehicle to gain entrance to the vehicle admission area. The card permits a card holder to enter Heritage Hill state park or a state trail ~~and no~~ without paying an admis-

~~tion fee may be charged for the person to gain entrance to those areas.~~

SECTION 625m. 29.14 (7) (b) and (c) of the statutes are repealed and recreated to read:

29.14 (7) (b) *Authorization.* Unless otherwise specifically prohibited, a nonresident daily sports fishing license authorizes fishing in the outlying waters or inland waters.

(c) *Use of fees.* The department shall deposit receipts from the sale of nonresident daily sports fishing licenses in the conservation fund. The department shall expend up to 50% of these receipts to supplement and enhance the trout and salmon rearing and stocking program for outlying waters and up to 50% of these receipts to improve and maintain trout habitat in the inland trout waters of the state, calculated by the department to be relatively proportionate to the number of nonresident daily sports fishing licenses issued for fishing in the outlying waters or the inland waters, respectively.

SECTION 628m. 29.145 (1a) of the statutes is amended to read:

29.145 (1a) The department shall issue a permanent fishing license to any resident ~~over the age of 65 years~~ senior citizen who applies for this license.

SECTION 630m. 29.145 (3) (b) and (c) of the statutes are repealed and recreated to read:

29.145 (3) (b) *Authorization.* Unless otherwise specifically prohibited, a resident daily sports fishing license authorizes fishing in the outlying waters or inland waters.

(c) *Use of fees.* The department shall deposit receipts from the sale of resident daily sports fishing licenses in the conservation fund. The department shall expend up to 50% of these receipts to supplement and enhance the trout and salmon rearing and stocking program for outlying waters and up to 50% of these receipts to improve and maintain trout habitat in the inland trout waters of the state, calculated by the department to be relatively proportionate to the number of resident daily sports fishing licenses issued for fishing in the outlying waters or the inland waters, respectively.

SECTION 631m. 29.1475 (3) of the statutes is amended to read:

29.1475 (3) AUTHORIZATION; ADMISSION TO STATE PARKS AND RELATED AREAS. A conservation patron license permits any vehicle, except a motor bus, as defined in s. 340.01 (31), having a conservation patron license holder as an occupant to enter any vehicle admission area under s. 27.01 (7) without charge having an admission sticker affixed to it and without paying a fee. The conservation patron license permits the license holder to enter Heritage Hill state park or a state trail ~~and no~~ without paying an admission fee ~~may be charged for the person to gain entrance to those areas.~~

SECTION 632m. 29.174 (2) (e) of the statutes is created to read:

29.174 (2) (e) The department may limit the number of trappers and hunters and the maximum harvest of beaver in any area.

SECTION 633m. 29.24 of the statutes is amended to read:

29.24 (title) Hunting and trapping by landowners. The owner or occupant of any land, and any member of his or her family may hunt or trap beaver, foxes, raccoons, woodchucks, rabbits and squirrels on the land without a license at any time, except that such persons may not hunt during the period of 24 hours prior to the opening date for deer hunting in those counties or parts of counties where an open season for hunting deer with firearms is established. The owner or occupant of any land and any member of his or her family may take beaver, rabbits, raccoons and squirrels on the land at any time by means of live trapping with box traps in cities or villages or other areas where the firing discharge of a gun firearm is unlawful.

SECTION 634m. 29.41 of the statutes is amended to read:

29.41 Skins of fur-bearing animals. No person may possess do any of the following:

(1) Possess or have under his or her control the skin of any mink, muskrat, fisher, pine marten, ~~beaver~~ or otter showing that the animal was shot ~~or speared.~~ No person may possess.

(2) Possess or have under his or her control the green skin of any fur-bearing animal, except beaver, from the 5th day after the beginning of the closed season for that animal until the end of that closed season. No person may possess

(3) Possess the raw skin of any muskrat, mink, beaver, otter, fisher or pine marten at any time unless the person is the holder of a scientific collector permit, fur dealer license, trapping license or conservation patron license of current issue. No license is required for a person breeding, raising and producing domestic fur-bearing animals in captivity as defined in s. 29.579; ~~nor~~ or for a person authorized to take muskrats on a cranberry marsh under a permit issued to the person by the department.

~~SECTION 636p. 29.415 (5) (a) of the statutes is renumbered 29.415 (5) (a) 2 and amended to read:~~

~~29.415 (5) (a) 2. Whoever violates this section sub. (4) (b) or (c) or any rules promulgated thereunder under those paragraphs shall forfeit not more than \$1,000. Whoever intentionally violates this section sub. (4) (b) or (c) or any rules promulgated thereunder under those paragraphs shall be fined not more than \$1,000 or imprisoned not more than 9 months or both.~~

~~SECTION 636s. 29.415 (5) (a) 1 of the statutes is created to read:~~

~~29.415 (5) (a) 1. Whoever violates sub. (4) (a) or any rules promulgated under it shall forfeit not less than~~

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~~§500 not more than \$2,000. In addition, the court shall order the revocation of all hunting approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting approvals under this chapter for one year. Whoever intentionally violates sub. (4) (a) or any rules promulgated under it shall be fined not less than \$2,000 nor more than \$5,000 or imprisoned not more than 9 months or both. In addition, the court shall order the revocation of all hunting approvals issued to the person under this chapter and shall prohibit the issuance of any new hunting approvals under this chapter for 3 years.~~

SECTION 636z. 29.48 (6) of the statutes is created to read:

29.48 (6) This section does not apply to any transaction involving a taxidermist who is issued a permit under s. 29.136 (2) and who uses the wild animal or the carcass thereof for instructional purposes as part of an approved course of instruction at a taxidermy school which is approved by the educational approval board under s. 38.51 (7).

SECTION 637m. 29.544 (2) (a) of the statutes is amended to read:

29.544 (2) (a) The department may establish promulgate such rules governing the harvest, use and disposition of wild rice growing in the navigable lakes of the state as it deems reasonably necessary for the conservation and wise use thereof. The secretary may designate the opening date for harvesting wild rice in any navigable lake or stream by posting notice of such opening date on the shores of and at places of public access to such lake at least 48 ~~24~~ hours before such opening date, unless the department promulgates by rule a different time period required for notice. Such posting is deemed sufficient notice of such opening date and no other publication thereof is required.

SECTION 638m. 29.547 (2), (3) and (4) of the statutes are amended to read:

29.547 (2) CUTTING. No person may, between November 1 and the following ~~August 15~~ September 1, cut, root up, gather or destroy wild ginseng.

(3) EVIDENCE. The purchase or sale of wild green ginseng between November 1 and the following ~~August 15~~ September 1 is prima facie evidence of a violation of this section.

(4) PURCHASE WITH KNOWLEDGE. No person may purchase wild ginseng if the person knows the ginseng was cut, rooted up or gathered between November 1 and the following ~~August 15~~ September 1. No person may purchase wild ginseng if the person knows that the vendor does not have a license to harvest ginseng or that the vendor has violated this section or a rule promulgated under this section.

SECTION 639g. 29.59 of the statutes is repealed and recreated to read:

29.59 Beaver damage control. (1) DEPARTMENT POWERS. The department or persons authorized by the department have the power to remove beaver and structures built by beaver causing damage to roads,

timber, streams, agriculture or property upon consent of the owner or occupant of the land on which the beaver or structures are located.

(2) LIABILITY. If an owner or lessee of land on which damage occurs does not consent to the removal of structures built by beaver or to the destruction of beaver after receiving a written request for consent from the department, the owner or lessee is liable for all damages occurring thereafter because of the presence of the beaver or beaver structures.

(3) DAMAGE CONTROL AREAS. (a) *Establishment.* The department may promulgate rules to establish beaver damage control areas. A beaver damage control area may be established if the department finds that the regional beaver population is abundant in the particular area and that beaver damage is widespread within the area.

(b) *Removal of beaver and beaver structures.* Subject to landowner or lessee approval under sub. (2) and the establishment of beaver damage control areas under par. (a), if beaver or structures built by beaver are causing or are likely to cause damage in a beaver damage control area, the owner or lessee of the property, the governmental body in charge of the maintenance of the property being damaged or an agent or employe of the owner, lessee or governmental body may, without being authorized by the department under sub. (1) or s. 29.596, remove or destroy the beaver or beaver structures.

(c) *Beaver control subsidy.* 1. If funds are available under s. 20.370 (1) ~~(Lr)~~ (Lr) and if the department establishes beaver damage control areas under par. (a), the department shall, no later than June 30, calculate the total amount of funds which are available under s. 20.370 (1) ~~(Lr)~~ (Lr) for the subsequent fiscal year and shall allocate the available funds for distribution among the counties within beaver damage control areas in proportion to the amount of damage in the county caused by beaver or beaver structures, as determined by the department.

2. In accordance with the allocation of funding calculated under subd. 1, the department may enter into written agreements with landowners and lessees under par. (b) and with persons holding a valid hunting license or a valid trapping license to pay \$7.50 for each beaver which the person removes from a beaver damage control area.

(cm) *Beaver control subsidy; 1987 payments.* 1. If funds are available under s. 20.370 (1) ~~(Lr)~~ (Lr) and if the department establishes beaver damage control areas under par. (a), the department shall, no later than September 30, 1987, calculate the total amount of funds which are available under s. 20.370 (1) ~~(Lr)~~ (Lr) for fiscal year 1987-88 and shall allocate the available funds for distribution among the counties within beaver damage control areas in proportion to the amount of damage in the county caused by beaver or beaver structures, as determined by the department.

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2. In accordance with the allocation of funding calculated under subd. 1, the department may enter into written agreements with landowners and lessees under par. (b) and with persons holding a valid hunting license or a valid trapping license to pay \$7.50 for each beaver which the person removes from a beaver damage control area during fiscal year 1987-88.

(d) *Information publicized.* The department shall make reasonable efforts to publicize the availability of beaver control subsidies for beaver removed from beaver damage control areas and the procedures for entering into written agreements with the department to obtain beaver control subsidies.

(e) *Penalty.* Any person who submits a duplicate or fraudulent claim under par. (c) 2 or (cm) 2 or who knowingly obtains or attempts to obtain a payment under par. (c) 2 or (cm) 2 for a beaver which was held in captivity when it was killed shall forfeit \$200.

SECTION 639m. 29.599 of the statutes is created to read:

29.599 Law enforcement aid program; spearfishing.

(1) DEFINITIONS. As used in this section:

(a) "Municipality" means any city, village or town.

(b) "Spearfishing" means a method of taking fish which is authorized by an agreement negotiated between the state and the members of federally recognized American Indian tribes or bands domiciled in Wisconsin relating to the tribes' or bands' treaty-based, off-reservation rights to hunt, fish and gather.

(2) PARTICIPATING COUNTY OR MUNICIPALITY. In order to be eligible to receive reimbursement from the department for costs incurred on or after the effective date of this subsection [revisor inserts date], by law enforcement agencies in response to members of federally recognized American Indian tribes exercising or attempting to exercise their right to engage in spearfishing, a county or municipality must do all of the following:

~~(a) *Notice to department.* File with the department by January 1 a notice of intent to provide additional law enforcement services during the spearfishing season occurring in that calendar year.~~

(b) *Daily records.* Maintain daily records of any ~~overhead~~ costs incurred by law enforcement agencies that are directly related to spearfishing and make the daily records available, upon request, to the department for inspection at periodic times during normal business hours.

(c) *Filing of application.* File an application for state aid with the department by June 1 of the calendar year in which additional law enforcement services are provided, specifying all of the following:

1. The names and salaries of the officials who provided additional law enforcement services during the spearfishing season.

2. The number of ~~overhead~~ hours worked by the persons under subd. 1.

3. Any additional costs, such as the cost of supplies and support services, incurred by the county or municipality that are directly attributable to the additional law enforcement services provided during the spearfishing season.

4. Any other information requested by the department.

(3) PARTICIPATING COUNTY OR MUNICIPALITY; 1987 REIMBURSEMENT. In order to be eligible to receive reimbursement from the department for costs incurred on or after January 1, 1987, and before the effective date of this subsection [revisor inserts date], by law enforcement agencies in response to members of federally recognized American Indian tribes exercising or attempting to exercise their right to engage in spearfishing, a county or municipality must do all of the following:

(a) *Make records available.* Make any records of any ~~overhead~~ costs incurred by law enforcement agencies that are directly related to spearfishing available, upon request, to the department for inspection at periodic times during normal business hours.

(b) *Filing of application.* File an application for state aid with the department no later than 3 months after the effective date of this paragraph [revisor inserts date], specifying all of the following:

1. The names and salaries of the officials who provided additional law enforcement services during the 1987 spearfishing season.

2. The number of ~~overhead~~ hours worked by the persons under subd. 1.

3. Any additional costs, such as the cost of supplies and support services, incurred by the county or municipality that are directly attributable to the additional law enforcement services provided during the 1987 spearfishing season.

4. Any other information requested by the department.

(4) STATE AID PAYMENTS. (a) *Costs reimbursed.* Except as provided under par. (c), the department shall pay each participating county or municipality up to 100% of the county's or municipality's actual costs that are directly attributable to providing additional law enforcement services during the spearfishing season. The department shall make state aid payments from the appropriation under s. 20.370 (4) (ga) by June 30 of the calendar year in which the county or municipality files an application under sub. (2) (c).

(b) *Costs reimbursed in 1987.* Except as provided under par. (c), the department shall pay each participating county or municipality up to 100% of the county's or municipality's actual costs that are directly attributable to providing additional law enforcement services during the 1987 spearfishing season. The department shall make state aid payments from the appropriation under s. 20.370 (4) (ga) no later than 4 months after the effective date of this paragraph [revisor inserts date].

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(c) *Prorated payments allowed.* If the total amount of reimbursable costs under par. (a) or (b) exceeds the amount available for payments under s. 20.370 (4) (ga), the department may prorate payments to participating counties and municipalities.

SECTION 639r. 29.60 (2) of the statutes is amended to read:

29.60 (2) No person may take, capture or kill or attempt to take, capture or kill any wild animal with the aid of dynamite or any other explosive or poison gas, or set any dynamite or other explosives near or on any beaver or muskrat houses, except that an owner or lessee of property subject to beaver damage, a governmental body in charge of the maintenance of a highway subject to beaver damage or an agent or employe of the owner, lessee or governmental body may possess explosives near established beaver houses for the purpose of destroying beaver dams within beaver damage control areas under s. 29.59 (3) (b). Possession or control of explosives or poison gases in places described in sub. (1) is prima facie evidence of intent to violate this subsection. Any person who violates this subsection shall be fined not more than \$300 or imprisoned not more than 30 days or both.

SECTION 640m. 30.205 of the statutes is created to read:

30.205 Water resources development projects. The department may cooperate with and enter into agreements with the appropriate federal agencies for the purpose of constructing, maintaining and operating water resources development projects. Such agreements may contain any indemnification provisions required by federal law.

Vetoed in Part SECTION 640s. 30.275 (2) of the statutes is amended to read:

~~30.275 (2) **Designation.** The Illinois Fox river and its watershed is and the Milwaukee river and its watershed are designated a scenic urban waterway waterways and shall receive special management as provided under this section.~~

Vetoed in Part SECTION 640t. 30.28 (3) of the statutes is amended to read:

~~30.28 (3) This section does not apply to any federal agency, state agency, county, city, village, town, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district, the Kahara watershed management district or any federally recognized Native American tribal governing body.~~

Vetoed in Part SECTION 641m. 30.37 (3m) of the statutes is created to read:

~~30.37 (3m) **TERMS OF MEMBERS, 1ST CLASS CITIES.** Notwithstanding sub. (3), s. 66.146 applies to the appointment and terms of harbor commissioners in 1st class cities.~~

SECTION 641p. 30.38 (8) (b) 4 of the statutes is repealed.

Vetoed in Part SECTION 642b. 30.77 (3) of the statutes is amended to read:

~~30.77 (3) **LOCAL REGULATIONS.** (a) Any town, village or city may, in the interest of public health, safety or welfare, adopt local regulations not contrary to or inconsistent with this chapter, relative to the equipment, use or operation of boats or relative to any activity regulated by ss. 30.60 to 30.71, but no except as provided in s. 33.43 (3) (a). No such local regulation which in any manner pertains to the equipment, use or operation of a boat on an inland lake is valid unless all towns, cities and villages having jurisdiction on the waters of the lake have enacted an identical local regulation. If any county operates any marina development adjacent to any waters or lake, the authority conferred upon any town, village or city by this paragraph shall exclusively vest in said county in respect to adoption of such local regulations insofar as they relate to the development, operation and use of said facility and its adjoining waters. Local regulations pertaining to equipment, use or operation of boats on inland lakes shall be subject to advisory review by the department. Within 60 days after June 19, 1974, the clerk of each town, village or city which has enacted such regulations shall submit a copy of such local regulations to the department. Local regulations proposed subsequent to this date shall be submitted by the clerk to the department at least 60 days prior to final action thereon by the town, village or city governing body. Advisory reports as to town, village or city regulation of equipment, use or operation of boats on inland lakes shall be based on consideration of the effect of the local regulation on the state from the standpoint of uniformity and enforcement and on the affected town, village or city in view of pertinent local conditions, shall state in what regard such regulations are deemed consistent or inconsistent with this chapter as to public health, safety or welfare, and shall be accompanied by suggested changes, if any. No later than one year after June 19, 1974, as to the town, village or city regulations in effect on this date and no later than 20 days after receipt by the department of local regulations proposed after this date, the department shall advise the town, village or city in writing, addressed to the clerk, as to the results of its advisory review hereunder.~~

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~~(b) Notwithstanding the prohibition in sub. (1) against local regulations which exclude any boat from the free use of the waters of the state, any municipality may charge reasonable fees for the use of public boat-launching facilities owned or operated by it, except as provided in s. 33.43 (5) and any town, village or city may regulate the operation, equipment, use and inspection of those boats carrying passengers for hire which operate from a base within its jurisdiction and charge reasonable fees for such inspection, except as provided in s. 33.43 (5).~~

SECTION 642d. 30.79 (title) of the statutes is amended to read:

~~30.79 (title) **Water safety patrols; state aids.**~~

Vetoed
in Part

~~SECTION 642f. 30.79 (1) (a) and (b) of the statutes are amended to read:~~

~~30.79 (1) (a) "State aid" means payment by the state to a municipality or to the Yahara watershed management district for or toward the cost of the operation or maintenance of a water safety patrol unit.~~

~~(b) "Water safety patrol unit" means a unit within an existing municipal law enforcement agency or a separate municipal agency, created by a municipality or by a number of municipalities riparian to a single body of water or a unit created by the Yahara management district for the purpose of enforcing ss. 30.50 to 30.80 and any rules and ordinances enacted under ss. 30.50 to 30.80 and for conducting search and rescue operations.~~

~~SECTION 642h. 30.79 (2) of the statutes is amended to read:~~

~~30.79 (2) STATE AID. In order to protect public rights in navigable waters and to promote public health, safety and welfare and the prudent and equitable use of the navigable waters of the state, a system of state aids for local enforcement of ss. 30.50 to 30.80 and ordinances enacted under ss. 30.50 to 30.80 and for conducting search and rescue operations is established. Aid shall be granted under this section to those municipalities which establish, maintain and operate any municipality or to the Yahara watershed management district if the municipality or Yahara watershed management district establishes, maintains and operates a water safety patrol unit in accordance with this chapter.~~

~~SECTION 642j. 30.79 (4) of the statutes is amended to read:~~

~~30.79 (4) JURISDICTION. Upon petition by any municipality or group of municipalities operating or intending to operate a water safety patrol unit, the department shall, if it finds that it is in the interest of efficient and effective enforcement to do so, by rule define the waters which may be patrolled by the unit, including waters lying within the territorial jurisdiction of some other town, village or city if the town, village or city consents to the patrol of its waters. Such consent is not required if the petitioner is a municipality containing a population of 5,000 or more, bordering upon the waters to be affected by the rule in counties having a population of less than 500,000. A water safety patrol unit operated by the Yahara watershed management district has jurisdiction on the waters within the Yahara watershed. Officers patrolling the waters as part of the water safety patrol unit shall have the powers of sheriff in enforcing ss. 30.50 to 30.80, or rules or ordinances enacted under ss. 30.50 to 30.80 and in conducting search and rescue operations, on any of the waters so defined, whether or not the waters are within the municipality's jurisdiction of the municipality or the~~

~~Yahara watershed management district for other purposes.~~ Vetoed
in Part

~~SECTION 642k. 30.79 (5) of the statutes is amended to read:~~

~~30.79 (5) PAYMENT OF AID. On or before January 31 of the year following the year in which a municipality or the Yahara watershed management district operated a water safety patrol unit, it shall file with the department on the forms prescribed by it the department a detailed statement of the costs incurred by the municipality or the Yahara watershed management district in the operation of the water safety patrol unit during the past calendar year and of the receipts resulting from fines or forfeitures imposed upon persons convicted of violations of ordinances enacted under s. 30.77. The department shall audit the statement and determine the net costs, after deduction of any fines or forfeitures imposed upon persons convicted of violations of ordinances enacted under s. 30.77, which are directly attributable to the operation and maintenance of the water safety patrol unit, including a reasonable amount for depreciation of equipment. The department shall compute the state aids on the basis of 75% of the net costs directly attributable to the operation and maintenance of the water safety patrol unit and shall cause the aids to be paid on or before April 1 of the year in which the statements are filed. If the state aids payable to municipalities exceed the moneys available for such purpose, the department shall prorate the payments. No county or municipality shall may receive state aid amounting to more than 20% of the funds available. The Yahara watershed management district may not receive state aid amounting to more than 20% of the funds available.~~

~~SECTION 642m. 30.92 of the statutes is repealed.~~

~~SECTION 643f. 31.39 (3) of the statutes is amended to read:~~

~~31.39 (3) This section does not apply to any federal agency, state agency, county, city, village, town, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district, the Yahara watershed management district or any federally recognized Native American tribal governing body.~~

~~SECTION 645d. 32.02 (13m) of the statutes is created to read:~~

~~32.02 (13m) Any corporation licensed to do business in Wisconsin which transmits gas, oil or related products by pipeline in interstate commerce, for the acquisition before July 2, 1990, of property used to construct a pipeline connecting the pipeline of that corporation with the pipeline of a Wisconsin corporation identified in sub. (9), if the public service commission has prepared an environmental impact statement under s. 1.11 (2) on the entire portion of the project which is in this state and the public service commission has approved the portion of the project being~~

Vetoed
in Part

Vetoed
in Part

undertaken by the Wisconsin corporation under s. 196.49.

SECTION 645dd. 32.02 (13m) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 650b. Chapter 33 (title) of the statutes is amended to read:

Vetoed
in Part

~~CHAPTER 33
PUBLIC INLAND LAKE
WATER RESOURCES PROTECTION
AND REHABILITATION AND
RECREATIONAL DEVELOPMENT~~

SECTION 650c. 33.001 of the statutes is amended to read:

Vetoed
in Part

~~33.001 (title) Findings and declaration of intent. (1) The legislature finds environmental values, wildlife, public rights in navigable waters, and the public welfare are threatened by the deterioration of public lakes; that the protection and rehabilitation of the public inland lakes of this state are in the best interest of the citizens of this state; that the public health and welfare will be benefited thereby; that the current state effort to abate water pollution will not undo the eutrophic and other deteriorated conditions of many lakes; that current efforts to protect and rehabilitate the water quality of the lakes and rivers in the Yahara watershed, which receives intense urban, recreational and agricultural usage, are seriously handicapped by the fact that numerous governmental bodies have jurisdiction over the management of the Yahara watershed; that lakes form an important basis of the state's recreation industry; that the increasing recreational usage of the waters of this state justifies state action to enhance and restore the potential of our inland lakes to satisfy the needs of the citizenry; and that the positive public duty of this state as trustee of waters requires affirmative steps to protect and enhance this resource and protect environmental values. To this end~~

~~(2) In accordance with sub. (1), the legislature declares that it is necessary to embark upon a program of lake protection and rehabilitation, to authorize a conjunctive state and local program of lake protection and rehabilitation to fulfill the positive duty of the state as trustee of navigable waters, and protect environmental values. The legislature finds that a state effort of research, analysis, planning and financing, and a local effort undertaken by public inland lake rehabilitation and protection districts and the Yahara watershed management district of planning and plan implementation are necessary and desirable and that the local districts should be formed by persons directly affected by the deteriorated condition of inland waters and willing to assist financially, or through other means, in remedying lake problems. The legislature further finds that state efforts are needed to aid and assist local efforts, to ensure that projects are undertaken only if they promote the public rights in navigable waters, environmental values, and the public~~

~~welfare and to administer a program of financial aids to support rehabilitation projects with benefits to all state citizens.~~

Vetoed
in Part

~~SECTION 650e. 33.01 (1) of the statutes is renumbered 33.01 (1f).~~

Vetoed
in Part

~~SECTION 650h. 33.01 (1g) of the statutes is created to read:~~

~~33.01 (1g) "Commission" means the Wisconsin waterways commission established under s. 15.345 (1).~~

~~SECTION 650j. 33.01 (3g) of the statutes is created to read:~~

~~33.01 (3g) "Free-flowing river" means that portion of a river which is at least 30 miles in length and which flows in its natural course without impoundment by a dam.~~

~~SECTION 650L. 33.01 (3m) of the statutes is created to read:~~

~~33.01 (3m) "Governmental unit" means the department, a municipality, a county, a town, sanitary district, a public inland lake protection and rehabilitation district organized under this chapter, the Yahara watershed management district created under this chapter or the Fox river management commission.~~

~~SECTION 650Lm. 33.01 (4m) of the statutes is created to read:~~

Vetoed
in Part

~~33.01 (4m) "Management district" means the Yahara watershed management district established under subch. V.~~

~~SECTION 650m. 33.01 (5m) of the statutes is created to read:~~

Vetoed
in Part

~~33.01 (5m) "Nonprofit organization" has the meaning given under s. 108.02 (19).~~

~~SECTION 650o. 33.01 (8m) of the statutes is created to read:~~

~~33.01 (8m) "Recreational boating projects" 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 projects" also includes locks and facilities which provide access between waterways for operators of recreational watercraft and implementation work which is eligible for financial assistance under s. 33.16 (1m). "Recreational boating projects" also includes, but is not limited to, the acquisition of conservation easements to protect the watershed of a free flowing river and any work in a free flowing river or its watershed which will protect or enhance the opportunities for public enjoyment of the river. Recreational boating projects on the Great Lakes are commonly referred to as harbors of refuge. Recreational boating projects on inland waters are commonly referred to as public accesses or launching ramps.~~

~~SECTION 650p. 33.01 (11) of the statutes is created to read:~~

Vetoed
in Part

~~33.01 (11) "Yahara watershed" means that part of the Yahara river drainage basin bounded by, and~~

Vetoed
in Part

including Secs. 36, 35, 27, 21, 20 and 18, T. 6N., R. 10E; Secs. 24, 23, 15, 9 and 5, T. 6N., R. 9E; Secs. 32 and 30, T. 7N., R. 9E; Secs. 24, 23, 22, 15, 11 and 3, T. 7N., R. 8E; Secs. 33, 32, 29, 21, 16, 9, 5 and 6, T. 8N., R. 8E; Secs. 32, 33, 27, 26 and 25, T. 9N., R. 8E; Secs. 19, 18, 8 and 4, T. 9N., R. 9E; Secs. 34, 27, 22, 23 and 24, T. 10N., R. 9E; Secs. 18, 17, 9, 16, 20, 29, 33 and 34, T. 10N., R. 10E; Secs. 3, 11, 13, 24 and 36, T. 9N., R. 10E; Sec. 30, T. 8N., R. 11E; Secs. 2, 10, 15, 23, 26 and 36, T. 8N., R. 10E; Secs. 6, 5, 8, 17, 20, 28, 34 and 35, T. 7N., R. 11E; and Secs. 2, 11, 14, 23, 26, 35, 34, 33, 32 and 31, T. 6N., R. 11E and including, but not limited to, the Yahara river, Lake Mendota, Lake Monona, Lake Waubesa, Lake Wingra, Lake Kegonsa and the upper and lower Mud lakes.

Vetoed
in Part

SECTION 650t. 33.16 (1m) of the statutes is created to read:

33.16 (1m) The commission may grant financial assistance to municipalities for feasibility studies and implementation work from moneys appropriated under s. 20.370 (4) (bm), subject to the requirements of this chapter.

SECTION 650u. 33.16 (7) (e) of the statutes is amended to read:

33.16 (7) (e) *North-south split.* The department shall grant financial assistance under this section so that not less than 25% of the moneys granted biennially in any fiscal year are granted to districts north of a line running east-west across the state and commencing at the southernmost point on the southern boundary of the city of Stevens Point, except that this subsection does not preclude the full utilization of available funds if all applications north of this line aggregate less than 25% of the biennial annual appropriations.

SECTION 650y. Subchapter V of chapter 33 of the statutes is created to read:

CHAPTER 33
SUBCHAPTER V
RECREATIONAL BOATING PROJECTS

Vetoed
in Part

33.40 *Recreational boating projects; studies and aids.* (1) *STUDIES.* (a) The commission may cause to be conducted appropriate studies, including feasibility studies, and inventories to aid in assessing the need for recreational boating projects.

(b) Feasibility studies shall be used to determine whether the construction of recreational boating projects is feasible from environmental, economic and engineering viewpoints. Feasibility studies may be used to determine whether recreational boating projects proposed by a governmental unit or by a nonprofit organization are feasible. The commission may conduct feasibility studies or cooperate with other state agencies in conducting feasibility studies. Feasibility studies conducted by state agencies or private persons shall be reviewed by the commission to ensure that appropriate data have been collected and ana-

lyzed in detail to substantiate the recommendations made in the feasibility study.

Vetoed
in Part

(c) Feasibility studies may be conducted upon the request of the affected governmental unit. Feasibility studies shall be of sufficient detail to allow affected governmental units to decide if a recreational boating construction project should be supported.

(d) The following factors shall be considered by the commission in assigning priorities for feasibility studies:

1. Estimated cost of the study.
2. Available funds.
3. Expression of support by the governmental unit.
4. Distance the area to be studied is from other recreational boating projects.
5. Work previously completed.

(e) A governmental unit's decision to support a recreational boating project 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 project feasibility study does not commit the affected governmental unit to cost-sharing in the construction of a proposed project or the management or operation of a project.

(2) *PROJECT PRIORITY LIST.* (a) Only those proposed recreational boating projects found to be feasible and supported by the affected 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 governmental units of their position on the priority list.

(b) The following factors shall be considered in establishing priorities for projects:

1. Distance the proposed project is from other recreational boating projects.
2. Demand for safe boating projects.
3. Expression of support by the governmental unit.
4. Existing projects.
5. Projects underway.
6. Commitment of funds by the governmental unit or a nonprofit organization.
7. Location of the proposed project within the region identified in s. 25.29 (7) (a).

(3) *AIDS.* (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for governmental units and the department in the construction and maintenance of capital improvements related to recreational boating projects and in the maintenance and operation of locks and projects 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

Vetoed
in Part

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.

(b) The following standards shall apply to the state funding of all recreational boating projects:

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, general revenue sharing, gifts, grants and contributions and user fees.

2. The department may cost-share, with the approval of the commission, with a governmental unit or a nonprofit organization, at a rate of up to 50% of the feasibility study, construction costs, management and operation costs or any combination of these items, of the recreational boating project. The department may cost-share with a nonprofit organization only for costs related to river management projects on free-flowing rivers. The department may pay, with the approval of the commission, an additional 10% of the costs of the construction project if a municipality or county 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 commission, at a rate of up to 50% for the management and operation costs or any combination of these items, of the recreational boating project.

3. No more than 10% of the state funds available for recreational boating projects aids under this section may be expended for feasibility studies in one year. No more than one percent of the state funds available for recreational boating projects aids under this section may be expended for any one feasibility study in one year.

3m. In fiscal year 1987-88 and in fiscal year 1988-89, \$50,000 from the appropriation under s. 20.370 (4) (b) shall be available to conduct feasibility studies to determine whether the construction of recreational boating projects involving the development of marinas is feasible from an engineering viewpoint.

4. No funds may be used for the purchase of land or the construction of projects commonly used to berth boats.

5. Forty percent of the state funds available for recreational boating projects aids under this section shall be expended for Great Lakes (including Chequamegon Bay and Green Bay) projects. Forty percent of the state funds available for recreational boating projects aids under this section shall be expended for inland waters, as classified under s. 29.01 (9), projects, including projects that are also eligible for financial assistance under s. 33.16 (1m). Ten percent of the state funds available for recreational boating projects aids under this section shall be expended for river management projects on free-flowing rivers.

Ten percent of the state funds available for recreational boating projects aids under this section shall be expended for eligible access projects deemed necessary by the commission without regard to location. The commission may designate recreational boating aids for locks and projects 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. 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 projects.

6. Projects qualifying for funds available for recreational boating projects 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, construction and improvement of public access and related projects on inland waters where motor-powered recreational watercraft are permitted, and management and operation of locks and projects which provide access between waterways for the operators of recreational watercraft.

(4) RULES. The commission shall recommend rules for promulgation by the department as necessary to implement the recreational boating projects 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, governmental units and other persons.

(5) COOPERATION AND ASSISTANCE. (a) The department shall provide governmental units with technical assistance in all phases of implementing the boating projects program under this section. The department shall also coordinate the boating projects program with all other related state and federal programs.

(b) The department shall assign staff to the commission for program management purposes. All staff activities, including but not limited to budgeting, program coordination and related administrative management functions, shall be consistent with the policies of the department and the natural resources board.

(6) DSOB OR WISCONSIN CONSERVATION CORPS. 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 652m. Subchapter VI of chapter 33 of the statutes is created to read:

CHAPTER 33

SUBCHAPTER VI

WABARA WATERSHED MANAGEMENT DISTRICT

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~33.42 Creation and purpose. A Yahara watershed management district is created for the purpose of protecting and rehabilitating the water quality of the lakes and rivers in the Yahara watershed and to promote and manage the recreational, access, scenic, safety, economic and agricultural values of the Yahara watershed.~~

~~33.43 Powers. (1) (a) The management district shall have all of the powers of a public inland lake protection and rehabilitation district enumerated under s. 33.22 (1) and (2), except that all contracts for the performance of any work or the purchase of any materials shall be subject to par. (b).~~

~~(b) 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 by the commissioners to the lowest responsible bidder in the manner they prescribe. Any public work, the estimated cost of which does not exceed \$20,000, shall be let as the commissioners may direct. If the estimated cost of any public work is between \$5,000 and \$20,000, the commissioners shall give a class 1 notice under ch. 985 before they contract for the work or shall contract with a person qualified as a bidder under s. 66.29 (2).~~

~~(c) The management district has jurisdiction over the Yahara watershed with respect to protecting and rehabilitating the water quality of the lakes and rivers in the Yahara watershed.~~

~~(2) The management district may make improvements to the lakes and rivers in the Yahara watershed including, but not limited to, constructing and maintaining public boat launching facilities, maintaining open green spaces adjacent to the lakes and rivers, implementing special shoreline maintenance requests, maintaining and improving locks and dredging waterways.~~

~~(3) (a) On and after the effective date of this paragraph ... [revisor inserts date], the management district has the sole authority to adopt local regulations relating to boating, recreation and safety upon the surface waters within the Yahara watershed. All provisions of any county or local ordinance enacted under s. 27.015 (7) (b), 30.16 (1) (a), 30.77 (3), 30.78 (1) (a), 30.81 (1) and (2) or 59.07 (46) or any other applicable statute that relate to boating, recreation and safety upon the surface waters within the Yahara watershed and that are in effect on the effective date of this paragraph ... [revisor inserts date], shall remain in effect until their specified expiration date or until modified or rescinded by the management district acting under this paragraph.~~

~~(b) On and after the effective date of this paragraph ... [revisor inserts date], the management district has concurrent authority with other units of government to adopt local regulations relating to the control of~~

~~land surfaces within the Yahara watershed including, but not limited to, erosion control, zoning of shorelands and wetlands, subdivision of land, as provided in ch. 236, construction, agriculture and conservation, for the purpose of protecting and rehabilitating the water quality of the lakes and rivers in the Yahara watershed but only if all of the following occur:~~

~~1. The regulation enacted under this paragraph is more restrictive than an existing county or local ordinance that relates to land surface control within the Yahara watershed or no such county or local ordinance exists.~~

~~2. The regulation only applies within the shorelands, as defined in s. 59.971 (1), of the Yahara watershed or within any other area within the Yahara watershed which is designated as a water quality priority area on or after the effective date of this subdivision ... [revisor inserts date], by state law or by a county board or the governing body of any city, village or town within the Yahara watershed.~~

~~(c) If the management district adopts an ordinance under par. (b) which is more restrictive than an existing county or local ordinance that relates to land surface control and which affects the same land, the existing county or local ordinance remains in effect only to the extent of any provisions which do not conflict with the ordinance adopted under par. (b).~~

~~(4) The management district may enforce any regulations which it adopts under sub. (3).~~

~~(5) The management district may assess fees for the services it provides under sub. (2) to persons using the lakes and rivers of the Yahara watershed or owning property contiguous to the lakes and rivers of the Yahara watershed.~~

~~(6) The management district may promulgate any rules necessary to implement the powers granted to the management district under this subchapter.~~

~~(7) To the greatest extent practicable, the management district shall encourage and utilize the Wisconsin conservation corps for appropriate projects.~~

~~(8) The specific powers of the management district enumerated in this subchapter which relate to protecting and rehabilitating the water quality of the lakes and rivers in the Yahara watershed supersede any concurrent powers held by any public inland lake protection and rehabilitation district established under subch. IV, town sanitary district created under s. 60.71 or 60.72, metropolitan sewerage district created under s. 66.22, regional planning commission created under s. 66.945, drainage district organized under s. 88.24 or land conservation committee created under s. 92.06 within the Yahara watershed.~~

~~33.44 District board of commissioners. (1) The board of commissioners shall govern the management district.~~

~~(2) The board of commissioners shall consist of the following persons, all of whom shall be residents of the management district:~~

Vetoed
in Part

Vetoed
in Part

~~(a) One member appointed to a 3-year term by the county executive or county administrator of the county having the largest population within the management district, or by the county board chairperson if that county does not have a county executive or county administrator, and approved by the county board of that county.~~

~~(b) One member appointed to a 3-year term by the chief executive officer of the municipality having the largest population within the management district and approved by the governing body of that municipality.~~

~~(c) Three members elected from the management district at large at the spring election by the qualified electors within the management district, for 3-year terms. One of the commissioners elected under this paragraph shall reside in unincorporated territory within the management district.~~

~~(3) Three commissioners shall constitute a quorum for the transaction of business.~~

~~(4) The board shall select a chairperson, secretary and treasurer from among its members each year, no later than 4 months after a commissioner is elected under sub. (2) (c).~~

~~(5) The board of commissioners may make an initial assessment of all taxable property within the management district to raise \$200,000 to pay for organizational costs and to operate the management district until receipt of the tax levied under s. 33.47 (2). The manner of making the assessment is within the discretion of the board of commissioners.~~

~~(6) Commissioners shall be paid actual and necessary expenses incurred while conducting business of the management district, plus such compensation as may be established by the board of commissioners.~~

~~(7) Vacancies occurring during the term of any commissioner appointed under sub. (2) (a) or (b) shall be filled within 90 days in the manner provided in s. 17.27 (1m). Vacancies occurring during the term of any officer selected under sub. (4) shall be filled within 90 days by the board. A commissioner appointed to fill a vacancy may be reappointed for subsequent full terms, as provided in sub. (2) (a) or (b).~~

~~(8) The board shall meet at least quarterly, and at other times on the call of the chairperson or the petition of 3 of the members.~~

~~(9) Any action by the board of commissioners shall require the affirmative vote of at least 3 of its members.~~

33.45 Board of commissioners; officers; powers and duties.

~~(1) The board of commissioners shall have all of the powers and duties enumerated for a district under s. 33.29 (1) with respect to the management district. The board of commissioners shall elect officers in accordance with s. 33.44 (4) and the officers shall have the duties specified under s. 33.29 (3), except that the powers and duties specified under s. 33.29 which relate to annual meetings may be exercised by the officers at any time.~~

~~(2) The board of commissioners shall have control over the fiscal matters of the district. The board of commissioners shall annually at the close of the fiscal year cause to be made an audit of the financial transactions of the management district and a report of the operations and activities of the management district. The board of commissioners shall furnish a copy of the audit and report to the legislature and to all municipalities and counties within the management district.~~

~~(3) The board of commissioners may develop a public information and education program on issues related to the Yahara watershed.~~

~~(4) The board of commissioners may contract with any county within the Yahara watershed which receives funding for an approved soil erosion control plan under s. 92.10 or an approved soil and water resource management program under s. 92.14 for the county to perform soil erosion control or soil and water resource management projects within the Yahara watershed.~~

~~(5) The board of commissioners is encouraged to contract with any public or private person for any services necessary to implement the powers granted to the board of commissioners and the management district under this subchapter.~~

~~**33.46 Transfer of certain structures.** No later than one year after the effective date of this section ... [revisor inserts date], any municipality, as defined in s. 345.05 (1) (c), within the management district which owns water regulatory structures and related equipment and buildings including, but not limited to, weed harvesters, boat ramps, storage facilities, locks and dams shall transfer ownership of the structure to the management district, at a reasonable cost to be negotiated between the municipality and the management district.~~

~~**33.47 Power to finance.** (1) The management district may utilize the financing powers specified for a district under s. 33.31, including borrowing money, subject to the requirements of that section.~~

~~(2) The management district may levy a tax upon all taxable property within the management district for the costs of operation for the coming year, which tax shall not exceed a rate of one-half mill of equalized valuation as determined by the department of revenue and reported to the board of commissioners. The tax shall be apportioned among the municipalities having property within the management district on the basis of equalized value, and a report shall be delivered by the treasurer, by November 1, by certified statement to the clerk of each municipality having property within the management district for collection.~~

~~**33.48 Special assessments and special charges.** (1) The board of commissioners shall levy special assessments as an exercise of the management district's police power for the purpose of carrying out management district protection and rehabilitation projects or~~

Vetoed
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in Part

for other Yahara watershed management activities undertaken by the management district.

(2) Special assessments shall be apportioned to property within the management district on a reasonable basis and shall be levied in the manner specified for a district under s. 33.32 (1) (c) to (f) and as follows:

(a) Upon approval of plans for any work by the management district, the commissioners shall determine the entire cost to the management district of the work to be done.

(b) The commissioners shall then examine each parcel within the management district, other than federal lands, for the purpose of apportioning special assessments. The commissioners may categorize each parcel as a riparian parcel, a parcel within the shorelands, as defined in s. 59.971 (1), which is not a riparian parcel or a parcel outside the shorelands. Special assessments may be apportioned such that assessments on a parcel outside the shorelands do not exceed one-fifth of the assessments on a riparian parcel and do not exceed one-third of the assessments on a parcel within the shorelands which is not a riparian parcel. After assessments to each parcel are determined, assessments shall be made in an aggregate amount equal to the cost to the management district of the project. Such assessments shall be made in accordance with s. 66.60, so far as it is applicable and not in conflict with this subchapter.

(3) The board of commissioners of the management district may provide for annual instalment payments of special assessments as provided under s. 33.32 (2).

(4) Real estate owned by a county, city, village or town within the management district is subject to special assessment as provided under s. 33.32 (3) and real estate owned by the state within the management district is also subject to special assessment.

(5) Outstanding unpaid assessments on privately owned lands shall be paid in full by any public body, including the state, which purchases such lands within the management district.

(6) Special assessments exceeding 60% of the tax imposed under s. 33.47 (2) shall not be levied by the management district if at least two-thirds of the members of the county board of the largest county within the management district objects to imposition of the levy within 30 days after the commissioners file a report of the assessment with the county clerk of the largest county within the management district in accordance with the procedure under s. 33.32 (1) (c).

SECTION 656m. 35.18 (1) of the statutes is amended to read:

35.18 (1) PUBLICATION. Biennially the revisor shall prepare and deliver to the department printer's copy for the Wisconsin statutes, which shall contain all the general statutes in force, all important joint resolutions adopted since the last preceding general session, an alphabetical index, a list of numerical cross-references in the statutes to other parts of the statutes, and

such other matter as the revisor deems desirable and practicable. The department shall determine how many copies shall be printed.

SECTION 656s. 35.84 (figure) column D line 19 of the statutes is created to read:

35.84 (figure) Column D Bound Session Laws; s. 35.15

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SECTION 656tm. 36.09 (1) (e) of the statutes is amended to read:

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each center; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; a state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents and assistant vice presidents of the system; faculty; academic staff and other employes and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4) and (5) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4) and (5) and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employes of the system.

SECTION 659g. 36.09 (1) (g) of the statutes is repealed.

SECTION 659r. 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 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. If the board ceases or suspends operation of any institution or center, the appropriations to the board for operation of the institution or center may be utilized by the board for any other purpose authorized by the appropriations within the period for which the appropriations are made.

SECTION 659t. 36.09 (1) (m) of the statutes is created to read:

36.09 (1) (m) The board shall monitor the use of electronic written communications within the system for purposes prohibited under s. 11.36 or 16.49, and shall take appropriate disciplinary action against any university officer or employe who violates s. 11.36 or 16.49. The board shall submit a report to the presiding officer of each house of the legislature for distribution to the appropriate standing committees concerning any violation of s. 11.36 or 16.49 through

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~~the use of electronic written communications, including documentation of the violation and the action taken against any university officer or employee who is determined to have violated s. 11.36 or 16.49.~~

SECTION 659y. 36.09 (2) of the statutes is amended to read:

36.09 (2) THE PRESIDENT. The president shall be president of all the faculties and shall be vested with the responsibility of administering the system under board policies and shall direct a central administration which shall assist the board and the president in establishing system-wide policies in monitoring, reviewing and evaluating these policies, in coordinating program development and operation among institutions, in planning the programmatic, financial and physical development of the system, in maintaining fiscal control and compiling and recommending educational programs, operating budgets and building programs for the board. The president shall appoint each vice president, associate vice president and assistant vice president of the system. The president shall fix the term of office for each vice president, associate vice president and assistant vice president of the system.

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~~SECTION 660g. 36.11 (3) (bp) of the statutes is created to read:~~

~~36.11 (3) (bp) If, by September 1, 1988, the board does not submit a plan to the legislature to designate college parallel program offerings, as defined under s. 36.31 (1), as transferable to system institutions without loss of credit toward graduation, the board shall designate college parallel program offerings as transferable to system institutions without loss of credit toward graduation.~~

SECTION 660m. 36.11 (3) (cm) of the statutes is created to read:

36.11 (3) (cm) The board shall establish and maintain a computer-based credit transfer system that shall include, but not be limited to, the following:

1. All transfers of credit between institutions within the system.
2. Program-specific course requirements in the system.
3. Vocational, technical and adult education college parallel program offerings, as defined in s. 36.31 (1).
4. Other courses for which the transfer of credits is accepted under par. (b) or (c).

SECTION 661. 36.11 (5) (title) of the statutes is amended to read:

36.11 (5) (title) INSURANCE.

SECTION 662. 36.11 (5) of the statutes is renumbered 36.11 (5) (a).

SECTION 663. 36.11 (5) (b) of the statutes is created to read:

36.11 (5) (b) The board may procure insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. The board

may not use general purpose revenue to pay for such insurance. With respect to any of the risks to be covered by the insurance, the board may contract for the services of a claims administrator and may obtain coverage by any combination of self-insurance, excess or stop-loss insurance or blanket insurance.

SECTION 663g. 36.11 (6) of the statutes is renumbered 36.11 (6) (a).

SECTION 663j. 36.11 (6) (b) of the statutes is created to read:

36.11 (6) (b) The board may not make a grant under par. (a) to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 663m. 36.11 (20) of the statutes is created to read:

36.11 (20) FUND ALLOCATION AND ENROLLMENT MANAGEMENT. (a) *Fund allocation and enrollment management.* The board shall direct the president to implement a process for allocating system funds that is consistent with an enrollment management plan approved by the board. The fund allocation process that the president shall implement shall fund only those enrollments that are included in the enrollment management plan approved by the board.

(b) *Report on implementation of enrollment management plan.* The board shall direct the president to issue a report no later than September 1 of each year on the progress of the president and the central administration in implementing the enrollment management plan approved by the board.

(c) *Applicability.* This subsection does not apply after December 31, 1991.

SECTION 664. 36.14 of the statutes is created to read:

36.14 Wisconsin distinguished professorships. (1) The board may establish distinguished professorships under this section.

(2) The board may pay under this section the salary and fringe benefit costs of the professor holding the distinguished professorship and of any graduate assistant assigned to the professor, and the equipment, supplies and travel costs of the professor and the graduate assistants assigned to the professor.

(3) The board may pay the costs specified under sub. (2) only from the appropriations under s. 20.285 (1) (a), (am) and (jm). The board may pay any of the costs specified under sub. (2) from the appropriation under s. 20.285 (1) (jm). The board may pay from the appropriation under s. 20.285 (1) (am) only the salary and fringe benefit costs of the professor but may not pay more than 50% of those costs from that appropriation. Annually the board shall report to the department of administration all expenditures from the appropriation under s. 20.285 (1) (a) made for the purposes of this section.

SECTION 664c. 36.25 (14) of the statutes is amended 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). The board may not make a grant under this subsection to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 664g. 36.25 (14m) of the statutes is created to read:

36.25 (14m) **MINORITY AND DISADVANTAGED PROGRAMS.** (a) The board shall allocate funds under s. 20.285 (4) (a) to fund programs for recruiting minority and disadvantaged students and to fund programs for minority and disadvantaged students enrolled in the system. The funding under s. 20.285 (4) (a) for these programs is in addition to any other funding provided by law.

(b) By November 15, 1988, and annually thereafter, the board shall adopt a recruitment and retention plan for minority and disadvantaged students enrolled in the system. The recruitment and retention plan shall include allocations from the appropriation under s. 20.285 (4) (a). By November 15, 1988, and annually thereafter, the board shall submit a report on the recruitment and retention plan under this paragraph to the governor and to the presiding officer of each house of the legislature for referral to the appropriate standing committees under s. 13.172 (3).

SECTION 665g. 36.25 (16) of the statutes is created to read:

36.25 (16) **MINORITY TEACHER LOAN PROGRAM.** (a) In this subsection "minority undergraduate" means an undergraduate student who:

1. Is a Black American.
2. Is an American Indian.
3. Is a Hispanic, as defined in s. 560.036 (1) (d).
4. Is a person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam or Cambodia.

(b) The board shall establish a loan program for minority undergraduate students who are registered as juniors or seniors, who are enrolled in programs of study leading to teacher certification, who meet academic criteria specified by the board and who agree to teach school in a school district organized under ch. 119 for the first 4 years after graduation. The loans shall be awarded from the appropriation under s. 20.285 (1) (dc).

(c) The board shall forgive 25% of the loan and 25% of the interest on the loan for each school year the recipient teaches school in a school district organized under ch. 119 during the first 4 years after graduation.

(d) The board shall deposit in the general fund as general purpose revenue-earned all repayments of loans made under par. (b) and the interest on the loans.

SECTION 666g. 36.25 (17) (title) of the statutes is renumbered 36.34 (1) (title) and amended to read:

36.34 (1) (title) **BEN R. LAWTON MINORITY UNDERGRADUATE GRANT PROGRAM.**

SECTION 666i. 36.25 (17) of the statutes is renumbered 36.34 (1) (b) and amended to read:

36.34 (1) (b) The board shall establish a grant program for ~~Black, Hispanic and American Indian~~ minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the appropriation under s. 20.285 (1) (dd). The board may not make a grant under this subsection to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments. By ~~October~~ March 1, 1986 1988, and annually thereafter by ~~that date~~ March 1, 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 667. 36.25 (24) of the statutes is amended to read:

36.25 (24) **EMPLOYEE-OWNED BUSINESSES PROGRAM.** Through the university of Wisconsin small business development center, in cooperation with the department of development under s. 560.07 (2m), the board of vocational, technical and adult education, the university of Wisconsin-extension, and the community development finance authority under s. 233.04 (2) (e) ~~and the council on economic adjustment~~, the board shall create, as needed, educational programs to provide training in the management of employee-owned businesses and shall provide technical assistance to employee-owned businesses in matters affecting their management and business operations, including assistance with governmental relations and assistance in obtaining management, technical and financial assistance.

SECTION 668g. 36.25 (25) of the statutes is created to read:

36.25 (25) **INDUSTRIAL AND ECONOMIC DEVELOPMENT RESEARCH PROGRAM.** (a) The board shall award industrial and economic grants to fund industrial and economic development research projects and outreach activities.

(b) In awarding grants under par. (a) the board shall:

1. Receive project proposals from system researchers.
2. Provide for a review process for project proposals by appropriate professionally qualified reviewers.
3. Specify the duration of the project to be funded by the grant.

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~~SECTION 668m. 36.27 (1) of the statutes is amended to read:~~

~~36.27 (1) BOARD OF REGENTS TO ESTABLISH. The board may establish for different classes of students differing tuition and fees incidental to enrollment in educational programs or use of facilities in the system. Except as otherwise provided in this section, the board may charge any student who is not exempted by this section a nonresident tuition. The board may establish special rates of tuition and fees for the extension and summer sessions and such other studies or courses of instruction as the board deems advisable. By September 1, 1989, the board shall establish a per credit rate structure for the assessment of tuition and fees.~~

SECTION 669g. 36.29 (5) of the statutes is renumbered 36.29 (5) (a) and amended to read:

36.29 (5) (a) ~~The~~ Except as provided in par. (b), the board may not acquire or make a commitment to operate any golf course not owned by the board prior to July 2, 1983, without specific authorization by the legislature.

SECTION 669r. 36.29 (5) (b) of the statutes is created to read:

36.29 (5) (b) Notwithstanding s. 20.924 (1), the board may accept a gift of a golf course for the university of Wisconsin-Madison if no general purpose revenues are used in the acquisition, development or operation of that golf course.

SECTION 670. 36.34 (title) of the statutes is amended to read:

36.34 (title) Minority student programs.

SECTION 671. 36.34 of the statutes is renumbered 36.34 (3) (a).

SECTION 671g. 36.34 (1) (a) of the statutes is created to read:

36.34 (1) (a) In this subsection "minority undergraduate" means an undergraduate student who:

1. Is a Black American.
2. Is an American Indian.
3. Is a Hispanic, as defined in s. 560.036 (1) (d).
4. Is a person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam or Cambodia.

SECTION 672. 36.34 (2) of the statutes is created to read:

36.34 (2) PILOT TUITION AWARD PROGRAM. (a) In this subsection, "minority pupil" means a pupil who:

1. Is a Black American.
2. Is an American Indian.
3. Is a Hispanic, as defined in s. 560.036 (1) (d).
4. Is a person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam or Cambodia.

(am) The board shall establish a pilot minority student tuition award program for minority pupils who meet academic criteria specified by the board, who need financial assistance and who are enrolled in high schools selected by the board. The board may select a high school only if it has an enrollment of at least 50% minority pupils. The board shall select at least 3 high schools in school districts organized under ch. 119. Awards shall be made from the appropriation under s. 20.285 (1) (de).

(b) The board shall provide an evaluation of the program under par. (am) to the governor and the joint committee on finance on October 1, 1991.

(c) No award may be made under par. (am) for periods beginning after June 30, 1992.

SECTION 673. 36.34 (3) (title) of the statutes is created to read:

36.34 (3) (title) REPORTS.

SECTION 673m. 36.42 of the statutes is created to read:

36.42 Minority doctoral student loans. (1) In this section "minority doctoral student" means a student who:

- (a) Is a Black American.
- (b) Is an American Indian.
- (c) Is a Hispanic, as defined in s. 560.036 (1) (d).
- (d) Is a person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam or Cambodia.

(1m) The board may make educational loans to selected minority doctoral students who are interested in teaching within the system. The board shall establish the amount and rates of interest of such loans and the criteria and procedures for selecting loan recipients.

(2) ~~(a)~~ If the loan recipient accepts a faculty or instructional academic staff position in the system within 6 months after receiving his or her doctoral degree, the board shall forgive the loan at the rate of 25% of the total amount borrowed plus accrued interest for each year of such employment, up to 4 years.

~~(b) The board may forgive a portion of a loan made under this section to an individual who applies and is available for employment in the system but who is not offered a faculty or instructional academic staff position.~~

(3) Loans shall be made from the appropriations under s. 20.285 (1) (cm) and (jL).

SECTION 674. 36.44 (title) of the statutes is repealed.

SECTION 675. 36.44 of the statutes is renumbered 36.34 (3) (b).

SECTION 676m. 36.46 of the statutes is renumbered 36.46 (1) and amended to read:

36.46 (1) The board may not accumulate any auxiliary reserve funds from student fees unless the fees and

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the reserve funds are approved by the secretary of administration and the joint committee on finance acting under s. 13.10 under this section. A request by the board for such approval for any academic year shall be filed by the board with the secretary of the ~~committee under s. 13.10 (3) at least 2 months prior to a scheduled meeting of the committee~~ administration and the cochairpersons of the joint committee on finance no later than July 10 preceding that year. 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. Within 14 working days of receipt of the request, the secretary of administration shall notify the cochairpersons of the joint committee on finance in writing of whether the secretary proposes to approve the fees or reserve fund accumulation.

SECTION 676s. 36.46 (2) of the statutes is created to read:

36.46 (2) Notwithstanding sub. (1), if, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the secretary's proposed action, the proposed fees may be levied and the proposed reserve funds may be accumulated. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the secretary's proposed action, the proposed fees may not be levied and the proposed reserve funds may not be accumulated unless the committee approves that action.

SECTION 677. 38.04 (4) (ag) of the statutes is amended to read:

38.04 (4) (ag) A program approved by the ~~review panel development finance board~~ under s. 560.095 (3) (e) subch. IV of ch. 560 is exempt from board approval under par. (a).

~~SECTION 677L. 38.04 (18) of the statutes is created to read:~~

~~38.04 (18) APPRENTICE INSTRUCTION. The board may establish, in cooperation with the district boards, a program to provide instruction to apprentices.~~

SECTION 680f. 38.14 (3) (c) of the statutes is renumbered 38.14 (3) (c) (intro.) and amended to read:

38.14 (3) (c) (intro.) ~~No~~ A district board may contract with a foreign government or any business which is not operating in this state, if a district board demonstrates that the district will receive a direct and measurable benefit from the contract and that the contract will not result in a reduction in the quality of education at district schools and if all of the following conditions are met:

SECTION 680h. 38.14 (3) (c) 1 to 4 and (d) of the statutes are created to read:

38.14 (3) (c) 1. The contract meets all of the requirements for a district board contract under this subsection.

2. The contract provides for full cost recovery so that no direct or indirect costs under the contract will be funded by the district.

3. The district board reviews all cost allocation and record-keeping systems for all services provided under the contract, which shall be subject to audit by the district board, and provides guidelines which conform with the requirements of this paragraph.

4. The district board agrees to conduct an audit, on at least an annual basis, to determine that no state aids or district tax funds are spent in the execution of the contract.

(d) No district employe may receive compensation from a contract under par. (c) in excess of the compensation that he or she receives as compensation as a district employe, and any compensation that a district employe receives from a contract under par. (c) shall be paid in proportion to the percentage of an employe's workload that represents the amount of time that an employe is assigned to work under a contract.

SECTION 680m. 38.14 (4) of the statutes is amended to read:

38.14 (4) GIFTS AND GRANTS. The district board may accept gifts, grants and bequests to be used in the execution of its functions and may accept grants to provide fiscal and management services for the ~~council on criminal justice~~ office of justice assistance in the department of administration or its subsidiaries or, if applicable, its successor agency.

SECTION 680p. 38.15 (1) of the statutes is amended to read:

38.15 (1) Subject to ~~sub. subs.~~ subs. (3) and (4), if the district board intends to make a capital expenditure in excess of \$500,000, excluding moneys received from gifts, grants or federal funds, for the acquisition of sites, purchase or construction of buildings, the lease/purchase of buildings if costs exceed \$500,000 for the lifetime of the lease, building additions or enlargements or the purchase of fixed equipment relating to any such activity, it shall adopt a resolution stating its intention to do so and identifying the anticipated source of revenue for each project and shall submit the resolution to the electors of the district for approval. The referendum shall be noticed, called and conducted under s. 67.05 (6m) (b) to (e) insofar as applicable. For the purposes of this section, all projects located on a single campus site within one district which are bid concurrently or which are approved by the board under s. 38.04 (10) within a 2-year period shall be considered as one capital expenditure project.

SECTION 680pm. 38.15 (1) of the statutes, as affected by 1983 Wisconsin Act 380 and 1985 Wisconsin Act 323, is repealed and recreated to read:

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38.15 (1) Subject to subs. (3) and (4), if the district board intends to make a capital expenditure in excess of \$500,000 for the acquisition of sites, purchase or construction of buildings, the lease/purchase of buildings if costs exceed \$500,000 for the lifetime of the lease, building additions or enlargements or the purchase of fixed equipment relating to any such activity, it shall adopt a resolution stating its intention to do so and identifying the anticipated source of revenue for each project and shall submit the resolution to the electors of the district for approval. The referendum shall be noticed, called and conducted under s. 67.05 (6m) (b) to (e) insofar as applicable. For the purposes of this section, all projects located on a single campus site within one district which are bid concurrently or which are approved by the board under s. 38.04 (10) within a 2-year period shall be considered as one capital expenditure project.

SECTION 680r. 38.15 (4) of the statutes is created to read:

38.15 (4) The referendum requirement under sub. (1) does not apply to a project under sub. (1) if the following requirements and conditions are met:

(a) The district board intends to make a capital expenditure of not more than \$1,000,000 for the project.

(b) The amount of the total cost of the project that is funded through property tax revenues and state aid under s. 38.28 does not exceed \$500,000.

SECTION 680t. 38.24 (1) (a) of the statutes is amended to read:

38.24 (1) (a) *Liberal arts collegiate transfer programs.* Uniform fees based on ~~28.6%~~ 29.3% of the statewide average operational costs of liberal arts collegiate transfer programs in district schools.

SECTION 680v. 38.28 (6) of the statutes is created to read:

38.28 (6) (a) The board shall award a one-time supplemental aid payment to each district which levied a tax in 1986 at the maximum rate allowed in 1986 under s. 38.16.

(b) Payments to each eligible district shall be calculated as 50% of a district's loss of equalized value, determined by subtracting the district's equalized value in 1986 from the district's equalized value in 1985 multiplied by 1.5 mills.

SECTION 682d. 38.51 (10) (b) of the statutes is amended to read:

38.51 (10) (b) *Application.* Application for initial approval of a school or a course of instruction, approval of a teaching location, change of ownership or control of a school, renewal of approval of a school or reinstatement of approval of a school or course of instruction which has been revoked shall be made on a form furnished by the board and shall be accompanied by a fee set by the board, ~~not to exceed the appropriate fee specified in~~ under par. (c), and such other information as the board deems necessary to evaluate the school in carrying out the purpose of this section.

SECTION 682f. 38.51 (10) (c) of the statutes is repealed and recreated to read:

38.51 (10) (c) *Fees; rule making.* The board shall promulgate rules to establish fees to accompany all applications under par. (b). In promulgating rules to establish fees, the board shall:

1. Require that the amount of fees collected under this paragraph be sufficient to cover all costs that the board incurs in examining and approving proprietary schools under this subsection.

2. Give consideration to establishing a variable fee structure based on the size of a proprietary school.

SECTION 682g. 38.51 (10) (d) of the statutes is created to read:

38.51 (10) (d) *Enforcement.* The attorney general or any district attorney may bring any appropriate action or proceeding in any court of competent jurisdiction for the enforcement of this subsection, including but not limited to bringing an action to restrain by temporary or permanent injunction any violation of par. (a).

SECTION 682m. 38.51 (10) (e) of the statutes is created to read:

38.51 (10) (e) *Penalties.* Any person who violates par. (a) may be required to forfeit not more than \$500. Each day of operation in violation of par. (a) constitutes a separate offense.

SECTION 682p. 38.51 (10) (f) of the statutes is created to read:

38.51 (10) (f) *Other remedies.* In addition to any other remedies provided by law, a student who attends a school which is in violation of par. (a) may bring a civil action to recover fees paid to the school in violation of par. (a) together with costs and disbursements, including reasonable attorney fees.

SECTION 682t. 39.12 (4) of the statutes is amended to read:

39.12 (4) The board of directors of any corporation established under this section shall consist of 5 members, including the executive director of the educational communications board and ~~one member from each of the 4 categories of 4 members of the educational communications board under s. 15.57 (1) to (4), elected by the educational communications board, of which one shall be a legislator.~~ No 2 members of the board of directors may be from the same category of educational communications board members under s. 15.57 (1) to (6).

SECTION 683. 39.13 (2) of the statutes is amended to read:

39.13 (2) The executive director may employ a deputy director ~~and 19 professional staff, the number of division administrators specified in s. 230.08 (2) (e) and 9 professional staff members~~ outside the classified service, ~~and such staff within the classified service as is necessary.~~ The. Subject to authorization under s. 16.505, the executive director may employ additional professional staff members for development and grant projects, outside the classified service, subject to s.

16.505 or for other purposes within the classified service.

SECTION 683b. 39.30 (2) (e) of the statutes is created to read:

39.30 (2) (e) The board may not make a grant to a student if it receives a certification under s. 46.255 (7) that the student is delinquent in child support or maintenance payments.

SECTION 683d. 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. No grant may exceed \$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 \$2,078 per academic year in the 1985-86 academic year and \$2,172 per academic year in the 1986-87 academic year. Grants under this section may not be less than \$250 during any one academic year.

~~SECTION 683g. 39.30 (3m) of the statutes is created to read:~~

~~39.30 (3m) APPLICATION DEADLINE. (a) The deadline for submitting an application for a grant for the following academic year under this section is June 1.~~

~~(b) The board shall set aside 2% of the funds available for grants under this section to fund grants for late applicants.~~

~~(c) The board shall consider applications received after June 1 for a grant for the following academic year on the basis of funds available.~~

SECTION 683h. 39.31 of the statutes is created to read:

39.31 Determination of student costs. In determining a student's total cost of attending a postsecondary institution for the purpose of calculating the amount of a grant under s. 39.30, 39.38, 39.435 or 39.44 the board shall include the following:

(1) The cost of tuition, fees, books and educational supplies.

(2) Miscellaneous expenses, as determined by the board.

(3) The cost of child care, as determined by the board.

SECTION 683i. 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed \$1,800 per year. Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student if it receives a certification under s. 46.255 (7) that the student is delinquent in child support or maintenance payments. Grants shall be renewable for up to 5 years

if a recipient remains in good academic standing at the institution he or she is attending. The American Indian language and culture education board shall advise the board on the allocation of grants to students enrolled less than half-time.

~~SECTION 683j. 39.435 (1) of the statutes is amended to read:~~

~~39.435 (1) There is established, to be administered by the board, a grant program for postsecondary resident students enrolled at least half-time and registered as freshmen, sophomores, juniors or seniors in accredited institutions of higher education in this state. Except as authorized under subs. (1g), (4) and (5), such grants shall be made only to students enrolled in nonprofit public institutions in this state.~~

~~SECTION 683m. 39.435 (1m) of the statutes is created to read:~~

~~39.435 (1m) (a) The deadline for submitting an application for a grant for the following academic year under this section is June 1.~~

~~(b) The board shall consider any application received after June 1 for a grant for the following academic year on the basis of funds available.~~

SECTION 683n. 39.435 (3) of the statutes is amended to read:

39.435 (3) Grants under this section shall not be less than \$200 \$250 during any one academic year, unless the joint committee on finance, acting under s. 13.10, approves an adjustment in the amount of the minimum grant. Grants under this section shall not exceed \$1,800 during any one academic year. The board shall, by rule, establish a reporting system to periodically provide student economic data and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

~~SECTION 683p. 39.435 (3m) of the statutes is created to read:~~

~~39.435 (3m) The board shall set aside 23% of the funds available for grants under this section to fund grants for late applications of which 21% shall be set aside for late applications from eligible students under sub. (1) who are enrolled or who intend to enroll in a vocational, technical and adult education school.~~

SECTION 683q. 39.435 (6) of the statutes is created to read:

39.435 (6) The board may not make a grant under this section to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 683r. 39.44 (1) of the statutes is renumbered 39.44 (1) (b) and amended to read:

39.44 (1) (b) There is established, to be administered by the board, a the minority undergraduate retention grant program for Black, Hispanic and American Indian minority undergraduates enrolled in private, nonprofit higher educational institutions in this state or in vocational, technical and adult education schools in this state.

Vetoed
in Part

Vetoed
in Part

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in Part

SECTION 683s. 39.44 (1) (a) of the statutes is created to read:

39.44 (1) (a) In this section "minority undergraduate" means an undergraduate student who:

1. Is a Black American.
2. Is an American Indian.
3. Is a Hispanic, as defined in s. 560.036 (1) (d).
4. Is a person who is admitted to the United States after December 31, 1975, and who either is a former citizen of Laos, Vietnam or Cambodia or whose ancestor was or is a citizen of Laos, Vietnam or Cambodia.

SECTION 683t. 39.44 (2) and (3) (intro.) of the statutes are amended to read:

39.44 (2) Funds for the grants under this section shall be distributed from the appropriation under s. 20.235 (1) (fg) to the eligible institutions and from the appropriation under s. 20.235 (1) (fh) to the eligible vocational, technical and adult education schools on the basis of full-time equivalent enrollments of students eligible for grants under sub. (1) (b). The board shall audit the enrollment statistics annually.

(3) (intro.) An institution or school receiving funds under sub. (2) shall:

SECTION 683u. 39.44 (4) of the statutes is created to read:

39.44 (4) The board shall notify an institution or school receiving funds under sub. (2) if the board receives a certification under s. 46.255 (7) that a student is delinquent in child support or maintenance payments. An institution or school may not award a grant under this section to a student if it receives a notification under this subsection concerning that student.

SECTION 683w. 39.47 (2m) of the statutes is created to read:

39.47 (2m) No resident of this state may receive a waiver of nonresident tuition under this section if the board receives a certification under s. 46.255 (7) that the resident is delinquent in child support or maintenance payments.

Vetoed in Part SECTION 683z. 40.02 (15) (c) 4 of the statutes is amended to read:

40.02 (15) (c) 4. This paragraph ~~shall~~ does not apply with respect to any active service if the active service is used for the purpose of establishing entitlement to, or the amount of, any benefit, other than a disability benefit, to be paid by any federal retirement program other than except OASDHI and the retired pay for nonregular military service program under 10 USC 1331 to 1337.

Vetoed in Part SECTION 683zm. 40.02 (17) (d) 2 of the statutes is repealed.

Vetoed in Part SECTION 683zn. 40.02 (25) (bm) of the statutes is created to read:

40.02 (25) (bm) For the purpose of long-term care insurance, in addition to any state annuitant under s. 40.02 (54m), any employe of the state who received a

salary or wages in the previous calendar year, and any participant who was at one time employed by the state who receives a lump sum payment under s. 40.25 (1) which would have been an immediate annuity if paid as an annuity, if the employe meets all of the requirements for an immediate annuity including filing of an application, whether or not final administrative action has been taken.

Vetoed in Part

SECTION 683zt. 40.02 (40m) of the statutes is created to read:

40.02 (40m) "Long-term care insurance" means insurance that provides coverage both for an extended stay in a nursing home and for home health services for a person with a chronic condition. The insurance may also provide coverage for other services that assist the insured person in living outside a nursing home including but not limited to adult day care and continuing care retirement communities.

SECTION 684p. 40.02 (54) (c) of the statutes is amended to read:

40.02 (54) (c) The Wisconsin health and educational facilities authority.

SECTION 684q. 40.02 (54m) of the statutes is created to read:

Vetoed in Part

40.02 (54m) "State annuitant" means a person receiving a retirement annuity, beneficiary annuity or a disability annuity from this state's retirement system who at one time received a salary or wages from this state.

SECTION 684qc. 40.03 (6) (h) of the statutes is created to read:

40.03 (6) (h) Shall, on behalf of the state, offer as provided in s. 40.55 long-term care insurance policies, subject to the following conditions:

1. For purposes of this paragraph only, pars. (a) 2, (b), (e), (f) and (g) do not apply.
2. For purposes of this section, the offering by the state of long-term health insurance policies shall constitute a group insurance plan under par. (a) 1.

SECTION 684r. 40.04 (3) (e) of the statutes is created to read:

40.04 (3) (e) 1. As of the last day of the first full month occurring after the effective date of this subdivision ... [revisor inserts date], \$230,000,000 shall be distributed from the transaction amortization account of the fixed retirement investment trust to the appropriate reserve of the fixed retirement investment trust as follows:

a. The portion credited to the fixed annuity reserve shall be distributed by the board as soon as possible after the effective date of this subdivision ... [revisor inserts date], but with an effective date of July 1, 1987. Notwithstanding s. 40.27 (2), the board shall make the distribution as a special investment performance dividend to provide an annuity increase only to those persons currently receiving a supplemental benefit under ss. 40.02 (17) (d) 2, 1985 stats, and 40.27 (1) and (1m), 1985 stats. The special investment performance dividend under this subdivision shall be equal to the sup-

Vetoed in Part

Vetoed in Part supplemental annuity that an annuitant currently receives pursuant to ss. 40.02 (17) (d), 1985 stats., and 40.27 (1) and (1m), 1985 stats. Any payment under s. 20.515 (1) (a) to annuitants receiving special investment performance dividends under this subdivision shall be reduced by the amount of the special investment performance dividends under this subdivision.

b. The board, on recommendation of the actuary, shall provide that the portion of funds transferred from the transaction amortization account under this subdivision credited to the fixed employer accumulation reserve shall be included in the actuary's recommendation of the required employer contribution for calendar year 1988, as otherwise determined under s. 40.05 (2) (am). **Vetoed in Part** The portion of funds transferred from the transaction amortization account under this subdivision credited to the fixed employer accumulation reserve shall be included in determining the rate of interest credited to individual employee accumulation accounts as of December 31, 1987, notwithstanding any restriction on interest credits provided by sub. (4) (a).

Vetoed in Part c. The board shall make the distribution under subd. 1. a as soon as possible after the effective date of this subdivision [revisor inserts date]. Until such time as the special investment performance dividend is effective, the supplemental annuity benefit under ss. ~~40.02 (17) (d), 1985 stats., and 40.27 (1) and (1m), 1985 stats.~~, shall continue to be funded from money available under s. 20.515 (1) (a). After the effective date of the special investment performance dividend, the department shall provide from the portion to be credited to the fixed annuity reserve funds sufficient to reimburse the appropriation under s. 20.515 (1) (a) for supplemental benefits payments made after June 30, 1987.

SECTION 686. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Accumulated Except as provided under par. (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2) and 757.02 (5) and subch. V of ch. 111 of any eligible employe shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employe under s. 40.02 (25) (b) 6, be converted, at the employe's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employe or the employe's surviving insured dependents. The full premium for any eligible employe who is insured at the time of retirement, or for the surviving insured dependent of an eligible employe in the event of death, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity pay-

ment. The employe may elect to delay initiation of deductions for up to 5 years after the date of retirement if that employe is covered by a comparable health insurance plan or policy between the date of retirement and the time the employe elects to initiate deductions from his or her sick leave credits. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits which are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 687. 40.05 (4) (bm) of the statutes is amended to read:

40.05 (4) (bm) Accumulated Except as provided under par. (bp), accumulated unused sick leave under ss. 36.30 and 230.35 (2) of any eligible employe shall, upon request of the employe at the time the employe is subject to layoff under s. 40.02 (40), be converted at the employe's current basic pay rate to credits for payment of health insurance premiums on behalf of the employe. The full amount of the required employe contribution for any eligible employe who is insured at the time of the layoff shall be deducted from the credits until the credits are exhausted, the employe is reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

SECTION 688. 40.05 (4) (bp) of the statutes is created to read:

40.05 (4) (bp) 1. Except as provided in subds. 2 and 3, for sick leave which accumulates beginning on the effective date of this subdivision [revisor inserts date], conversion under par. (b) or (bm) of accumulated unused sick leave under s. 36.30 to credits for payment of health insurance premiums shall be limited to the annual amounts of sick leave specified in this subdivision. For faculty and academic staff personnel who are appointed to work 52 weeks per year, conversion is limited to 8.5 days of sick leave per year. For faculty and academic staff personnel who are appointed to work 39 weeks per year, conversion is limited to 6.4 days of sick leave per year. For faculty and academic staff personnel not otherwise specified, conversion is limited to a number of days of sick leave per year to be determined by the secretary by rule, in proportion to the number of weeks per year appointed to work.

2. The limits on conversion of accumulated unused sick leave which are specified under subd. 1 may be waived for nonteaching faculty who are appointed to work 52 weeks per year and nonteaching academic staff personnel if the secretary of administration determines that a sick leave accounting system comparable to the system used by the state for employes in the classified service is in effect at the institution, as defined in s. 36.05 (9), and if the institution regularly reports on the operation of its sick leave accounting system to the board of regents of the university of Wisconsin system.

3. The limits on conversion of accumulated unused sick leave which are specified under subd. 1 may be waived for teaching faculty or teaching academic staff at any institution, as defined in s. 36.05 (9), if the secretary of administration determines all of the following:

a. That administrative procedures for the crediting and use of earned sick leave for teaching faculty and teaching academic staff on a standard comparable to a scheduled 40-hour work week are in operation at the institution.

b. That a sick leave accounting system for teaching faculty and teaching academic staff comparable to the system used by state employes in the classified service is in effect at the institution.

c. That the institution regularly reports on the operation of its sick leave accounting system to the board of regents of the university of Wisconsin system.

Vetoed in Part SECTION 688c. 40.05 (4m) of the statutes is created to read:

40.05 (4m) LONG-TERM CARE INSURANCE PREMIUMS. For any long-term care insurance policies provided under s. 40.55, the entire premium shall be paid as a deduction under s. 40.06 (1) (a) from an employe's earnings or a state annuitant's annuity, except that if an eligible employe is not on a state payroll or receives earnings that are insufficient to cover premium payments or a state annuitant receives an annuity that is not sufficient to cover premium payments, the eligible employe or state annuitant shall make premium payments directly to the department. There shall be no employer contributions.

Vetoed in Part SECTION 688g. 40.08 (1) of the statutes is amended to read:

40.08 (1) EXEMPTIONS. The Except as provided in sub. (1m), the benefits payable to, or other rights and interests of any member, beneficiary or distributee of any estate under any of the benefit plans administered by the department, including insurance payments, shall be exempt from any tax levied by the state or any subdivision of the state and shall not be assignable, either in law or equity, or be subject to execution, levy, attachment, garnishment or other legal process except as specifically provided in this section. The exemption from taxation under this section shall not apply with respect to any tax on income.

SECTION 688j. 40.08 (1m) of the statutes is created to read:

40.08 (1m) ASSIGNMENT FOR SUPPORT OR MAINTENANCE. Annuities under s. 40.23 are subject to assignment under s. 767.265.

SECTION 688km. 40.27 (1) and (1m) of the statutes are repealed.

Vetoed in Part SECTION 688L. Subchapter IV (title) of chapter 40 of the statutes is amended to read:

CHAPTER 40
SUBCHAPTER IV
HEALTH AND LONG-TERM CARE BENEFITS

SECTION 688lp. 40.51 (title) of the statutes is amended to read:

~~40.51 (title) Health care coverage.~~

SECTION 688m. 40.51 (8) of the statutes is created to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) is subject to s. 632.87 (3).

SECTION 688p. 40.52 (title) of the statutes is amended to read:

~~40.52 (title) Health care benefits.~~

SECTION 688r. 40.55 of the statutes is created to read:

40.55 Long-term care coverage. (1) The state shall offer, through the group insurance board, to all eligible employes under s. 40.02 (25) (am) and to all state annuitants all long-term care insurance policies which have been approved for sale in this state by the office of the commissioner of insurance if the insurer requests that the policy be offered and the state shall also allow an eligible employe or a state annuitant to purchase those policies for his or her spouse, child or parent.

(2) For any long-term care policy offered through the group insurance board, the insurer may impose underwriting considerations in determining which persons to cover and what premiums to charge.

(3) The group insurance board shall provide a period of at least 30 days per year during which an eligible employe or a state annuitant may elect to subscribe to any long-term care insurance policy that may be offered or to purchase any long-term care insurance policy that may be offered for his or her spouse, child or parent.

SECTION 690g. 43.54 (1) (am) of the statutes is amended to read:

43.54 (1) (am) Each public library established in a 1st class city shall be administered by a library board consisting of the president of the board of school directors or his or her designee, ~~the superintendent of schools or his or her designee,~~ a member of the county board of supervisors who resides in the county but outside the city, 3 aldermen and ~~4~~ 6 public members. The county board member shall be appointed by the county executive or county administrator and confirmed by the county board for a 4-year term commencing on May 1. The 3 aldermen shall be appointed by the mayor on the 3rd Tuesday in April from among those aldermen serving 4-year terms and shall serve on the library board during their aldermanic terms. ~~The 4~~ Five of the public members shall be residents of the city and shall be appointed by the mayor on the 3rd Tuesday in April to staggered 4-year terms. One of the public members appointed by the mayor under this paragraph shall represent the interests of the mayor. One public member shall be appointed by the president of the common council on the 3rd Tuesday in April for a 4-year term.

SECTION 690r. 43.54 (1) (e) of the statutes is amended to read:

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~~43.54 (1) (e) A majority of the membership of a library board constitutes a quorum, but any such board may, by regulation, provide that 3 or more members thereof shall constitute a quorum. For library boards organized under par. (am), 5 or more members constitute a quorum.~~

SECTION 691. 44.02 (5s) of the statutes is created to read:

44.02 (5s) Except as provided in s. 16.84 (2), have responsibility for security at the museum.

SECTION 692. 44.20 (title) and (1) of the statutes are amended to read:

44.20 (title) Historic sites. (1) ~~The administrator of the division of historic sites~~ historical society shall operate and maintain the historic sites known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline Island and Old World Wisconsin. ~~The historical society shall provide technical assistance upon request of the administrator.~~

SECTION 693. 44.20 (3) of the statutes is repealed.

SECTION 694. 44.20 (4) of the statutes is amended to read:

44.20 (4) Beginning on February 1, 1985, and biennially thereafter, the ~~administrator~~ director of the ~~division of historic sites~~ historical society shall submit a report to the joint committee on finance regarding the condition of the historic sites program.

SECTION 694m. 44.20 (5) of the statutes is created to read:

44.20 (5) Beginning on September 15, 1987, and annually thereafter, the director of the historical society shall submit a report to the joint committee on finance by no later than September 15 regarding program revenues and expenditures for each historical site under sub. (1).

SECTION 695. 44.205 of the statutes is repealed.

SECTION 696g. 44.53 (1) (i) of the statutes is amended to read:

44.53 (1) (i) Administer a challenge grant ~~program~~ programs for the purpose of encouraging the fund-raising efforts of arts organizations.

SECTION 696j. 44.565 of the statutes is created to read:

44.565 Arts challenge initiative grants. (1) In this section, "local arts agency" means an organization that represents local arts organizations.

(2) (a) The board shall award arts challenge initiative grants to arts organizations and local arts agencies.

(b) The board shall award grants from the appropriation under s. 20.215 (1) (d) to match up to 25% of an arts organization's or a local arts agency's income from contributions for the fiscal year in which a grant may be awarded which exceeds the amount of income from contributions in the previous fiscal year and income from earned income which exceeds the amount of earned income from the previous fiscal

year in that fiscal year subject to the following requirements:

1. An arts organization or a local arts agency must earn income which exceeds the amount of earned income from the previous fiscal year in each fiscal year for which the organization or local arts agency applies for a grant to meet the requirements of this paragraph. The receipt of a grant by an arts organization or local arts agency in a previous fiscal year does not exempt an arts organization or a local arts agency from the requirements under this paragraph.

2. A grant awarded under par. (a) shall match only cash funds.

~~(c) The board shall set aside at least 5% of the funds for grants under par. (a) from the appropriation under s. 20.215 (1) (d) to fund arts challenge initiative grants under par. (a) for minority arts organizations. Notwithstanding par. (b), grants under par. (a) to minority arts organizations shall not be subject to the requirement under par. (b) 1. Notwithstanding par. (b) (intro.), the board may award grants under par. (a) to a minority arts organization from the appropriation under s. 20.215 (1) (d) to match up to 100% of the minority arts organization's contributions from the previous year from private sources and up to 100% of the organization's earned income from the previous year.~~

~~(d) Notwithstanding par. (b) 1, the board shall set aside up to \$150,000 from the appropriation under s. 20.215 (1) (d) to award grants under par. (a) of not less than \$3,000 and not more than \$10,000 to match up to 100% of contributions from the previous year from private sources and up to 100% of earned income from the previous year of an arts organization with an operating budget of less than \$100,000. If the board determines that the funds allocated for grants under this paragraph are not sufficient to match eligible funds from arts organizations, then the board shall consider geographic distribution and need in awarding grants under this paragraph.~~

~~(e) Unexpended funds from the appropriation under s. 20.215 (1) (d) set aside for grants under par. (d) shall be distributed to other arts challenge initiative grants under this section.~~

SECTION 696m. 44.57 (2) of the statutes is amended to read:

44.57 (2) **MINIMUM EXPENDITURE REQUIRED.** (a) Except as provided in par. (b), at least two-tenths of one percent of the appropriation for the construction, reconstruction, renovation or remodeling of or addition to a state building, including but not limited to amounts appropriated for design and supervision, site preparation, equipment and administrative and personnel costs, shall be utilized to acquire one or more works of art to be incorporated into the structure for which the appropriation was made, or displayed inside or on the grounds of that structure and to fund

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in Part

all administrative costs that the board incurs in acquiring one or more works of art.

(b) If the state building to which this section applies is located contiguous to other state buildings, the advisory committee acting under sub. (3) may apply the funds set aside under par. (a) to the acquisition, including all associated administrative costs, of one or more works of art to be incorporated into one of the other contiguous buildings or to be displayed on the grounds of one or more of the contiguous state buildings.

SECTION 696n. 45.35 (8) (b) 3 of the statutes is amended to read:

45.35 (8) (b) 3. Subchapter II, except as provided under ss. 45.74 (6) and 45.80 (2) (e).

Vetoed in Part SECTION 696m. 45.351 (1) (b) of the statutes is created to read:

~~45.351 (1) (c). No aid may be provided to a person under this subsection if the department receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.~~

SECTION 696o. 45.351 (2) (b) of the statutes is renumbered 45.351 (2) (b) 1 (intro.) and amended to read:

45.351 (2) (b) 1. (intro.) No person may receive a loan under this section if the department determines that the person's annual income exceeds \$21,000 plus \$500 for each dependent in excess of 2 dependents, plus whichever of the following applies:

2. 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 696r. 45.351 (2) (b) 1. a to c of the statutes are created to read:

45.351 (2) (b) 1. a. For loans approved before the effective date of this subdivision ... [revisor inserts date], \$21,000.

Vetoed in Part b. For loans approved ~~during the period~~ beginning on the effective date of this subdivision ... [revisor inserts date], and ending on June 30, 1988, \$23,000.

Vetoed in Part c. For loans approved on or after July 1, 1988, \$25,000.

SECTION 696s. 45.351 (2) (c) of the statutes is created to read:

45.351 (2) (c) No person may receive a loan under this subsection if the department receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 698. 45.37 (2) (e) of the statutes is amended to read:

45.37 (2) (e) Chronic ailments. Is not a chronic alcoholic, drug addict, psychotic or active tuberculosis case, unless the department determines that the home

is capable of providing satisfactory care for the person.

SECTION 698ac. 45.396 (2) of the statutes is amended to read:

45.396 (2) 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~~ educational school receiving aids from the board of vocational, technical and adult education or from any public or private high school 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 application 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).

SECTION 698acg. 45.396 (3) to (5) of the statutes are renumbered 45.396 (4), (5) and (5m), and 45.396 (5m), as renumbered, is amended to read:

45.396 (5m) ~~Any (a) No~~ veteran or eligible dependent who has obtained a master's degree or its equivalent is ~~not~~ eligible for grants under this section. ~~Any~~

(b) No veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent but not a master's degree or its equivalent is ~~not~~ eligible for grants offered under this section if he or she has remaining federal veterans administration education benefits.

(c) 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 698acm. 45.396 (3) of the statutes is created to read:

45.396 (3) A veteran who is a resident of this state and otherwise qualified to receive benefits under this section may receive the benefits under sub. (2) upon the completion of any correspondence courses or part-time classroom study from an educational institution outside this state which is accredited by the north central association of colleges and schools or, if outside the jurisdiction of that accrediting association, by an equivalent accrediting association, if any of the following applies:

(a) The part-time classroom study is not offered within 50 miles of the veteran's residence by any school or institution under sub. (2) and the educational institution from which the study is offered is

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located not more than 50 miles from the veteran's principal place of residence.

(b) The correspondence course is not offered in this state.

SECTION 698acq. 45.396 (6) of the statutes is created to read:

45.396 (6) The department may not make a grant to a person under this section if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 689ae. 45.74 (intro.) of the statutes is amended to read:

45.74 Eligible persons; disqualifying factors. (intro.) Except as provided under s. 45.745, no person may receive a loan under this subchapter if the department or authorized lender determines that any of the following applies:

SECTION 698ag. 45.74 (2) and (3) of the statutes are amended to read:

45.74 (2) **ABILITY TO PAY.** The person will be incurring an excessive indebtedness in view of the person's income;

(3) **NEED.** The person does not require a loan in addition to the person's own funds;

Vetoed in Part SECTION 698ak. 45.74 (4) of the statutes is repealed.

SECTION 698am. 45.74 (6) of the statutes is created to read:

45.74 (6) **DELINQUENT SUPPORT PAYMENTS.** It has received a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

SECTION 698b. 45.74 (6m) of the statutes is created to read:

45.74 (6m) **PREVIOUS LOANS.** The person has a previous loan outstanding under this subchapter, unless any of the following applies:

Vetoed in Part (a) The person is applying for a loan under s. 45.80, for a purpose specified under s. 45.76 (2), and the previous loan was made under s. 45.79.

Vetoed in Part (b) The previous loan has been assumed by an eligible person with the department's approval upon the sale of the residence securing the previous loan.

SECTION 698dg. 45.745 (intro.) of the statutes is amended to read:

45.745 Loans to disabled veterans; qualifying factors. (intro.) A veteran who has secured a special housing grant under 38 U.S.C. USC 801 due to permanent and total service connected disability may receive a loan under this subchapter if the department or authorized lender determines that all of the following apply:

SECTION 698dm. 45.745 (2) and (3) of the statutes are amended to read:

45.745 (2) **ABILITY TO PAY.** The person will not be incurring an excessive indebtedness in view of the person's income;

(3) **NEED.** The person requires a loan in addition to the person's own funds;

Vetoed in Part SECTION 698ds. 45.745 (4) of the statutes is repealed.

SECTION 698e. 45.745 (6) of the statutes is created to read:

45.745 (6) **PREVIOUS LOANS.** If the person has a previous loan outstanding under this subchapter, any of the following applies:

(a) The person is applying for a loan under s. 45.80, for a purpose specified under s. 45.76 (2), and the previous loan was made under s. 45.79.

Vetoed in Part (b) The previous loan has been assumed by an eligible person with the department's approval upon the sale of the residence securing the previous loan.

SECTION 698h. 45.75 of the statutes is renumbered 45.75 (intro.) and amended to read:

45.75 Choice of program. (intro.) A veteran who meets the requirements of both the primary and secondary mortgage loan programs shall have the right to choose do the following:

(1) Choose the program in which he will participate, if the veteran is not eligible to participate in both programs at the same time.

SECTION 698L. 45.75 (2) of the statutes is created to read:

45.75 (2) Choose to participate in either program, or both, if the veteran is eligible to participate in both programs at the same time.

SECTION 698n. 45.76 (2) (a) of the statutes is renumbered 45.76 (2) (a) (intro.) and amended to read:

45.76 (2) (a) *Home improvements.* (intro.) Improving a any of the following:

1. A housing accommodation or a
2. A housing accommodation and garage.

SECTION 698s. 45.76 (2) (a) 3 of the statutes is created to read:

45.76 (2) (a) 3. Land, by the construction or improvement of a domestic water supply for use in a housing accommodation.

Vetoed in Part SECTION 698u. 45.77 of the statutes is amended to read:

45.77 Veteran's contribution. No loan may be made under this subchapter unless, in addition to the closing costs as the veteran may be required to pay, the veteran has available, and applies on the total cost of the property for which the loan is made, an amount equivalent to at least 5% of the total cost. The amount may consist of money or other assets, including equity in real property. If the loan is to be made for purchase or construction, as these terms are used in s. 45.76, the amount may not exceed 20% of the total cost. This

Vetoed in Part section does not apply to a person who qualifies under s. 45.745.

SECTION 698w. 45.79 (11) of the statutes is repealed.

Vetoed in Part SECTION 699c. 45.79 (12) of the statutes is created to read:

45.79 (12) **PRIOR PROGRAM LOANS.** Subject to this section and ss. 45.73 to 45.77, neither the department nor an authorized lender may deny a person a loan under this section because of the reason the person sold any property previously mortgaged by the person to the department or an authorized lender, if the person completely paid the balance of any previous loan under this subchapter in accordance with the terms and conditions of the promissory note and the mortgage or other agreement executed in connection with the previous loan.

SECTION 700m. 45.80 (1) of the statutes is amended to read:

45.80 (1) **LOANS AUTHORIZED; LOAN AMOUNT LIMITED.** The department may make loans to eligible veterans for qualified purposes in the manner provided under this section. No loan made under this section may exceed ~~\$5,000~~ \$6,500. Subject to such limitation the amount of each loan shall be fixed by the department with due regard to the conditions and requirements of the applicant.

SECTION 700r. 45.80 (2) (e) of the statutes is created to read:

45.80 (2) (e) *Delinquent support payments.* The department has not received a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments.

Vetoed in Part SECTION 701m. 45.80 (2) (f) of the statutes is created to read:

45.80 (2) (f) *Assets.* 1. After making the person's total contemplated investment toward a purpose specified in s. 45.76 (1) (c) or (d) or (2), the person's funds will be less than or equal to \$1,000 plus the person's anticipated annual shelter cost payment.

2. After making the person's total contemplated investment toward a purpose specified in s. 45.76 (1) (a) or (b) all of the following apply:

a. The person's funds will be less than or equal to \$1,000 plus the person's anticipated annual shelter cost payments.

b. The amount of the total contemplated investment less closing costs is less than or equal to 20% of the total cost of the property for which the loan is made, except that this subd. 2. b. does not apply to a person who qualifies under s. 45.745.

SECTION 702m. 46.011 (2) of the statutes is amended to read:

46.011 (2) "Prisoner" means any person who is either arrested, incarcerated, imprisoned or otherwise detained in excess of 12 hours by any law enforcement agency of this state, except when detention is pursuant to s. 51.15, 51.20, 51.45 (11) (b) or 55.06 (11) (a). "Prisoner" does not include any person who is serving

a sentence of detention under s. 973.03 (4) unless the person is in the county jail under s. 973.03 (4) (c).

SECTION 710. 46.03 (7m) of the statutes is amended to read:

46.03 (7m) **FOSTER CARE.** For the federal fiscal years commencing October 1, ~~1986~~ 1988, and October 1, ~~1987~~ 1989, respectively, ensure that there are no more than ~~2,641~~ 2,500 and ~~2,619~~ 2,450 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 716m. 46.03 (28) of the statutes is repealed.

SECTION 718m. 46.03 (36) of the statutes is created to read:

46.03 (36) **EMPLOYMENT AND TRAINING AND EDUCATION MANUAL.** In conjunction with the department of industry, labor and human relations, produce a manual describing employment and training and education programs for which recipients of public assistance benefits under ch. 49 may qualify. The department shall distribute the manual, free of charge, to each county department under s. 46.215, 46.22 or 46.23.

SECTION 723g. 46.032 of the statutes is amended to read:

46.032 Income maintenance administration. County departments under ss. 46.215, 46.22 and 46.23 shall annually enter into a contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 49.046, 49.19, 49.45 to 49.47 and 49.50 (7) (e) and (7g) and the food stamp program under 7 USC 2011 to 2029 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 724e. 46.033 of the statutes is renumbered 46.034.

SECTION 724f. 46.033 of the statutes is created to read:

46.033 Income maintenance worker competency standards. (1) In this section:

(a) "Income maintenance program" means relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47 or the food stamp program under 7 USC 2011 to 2029.

(b) "Income maintenance worker" means a person employed by a county or a governing body of a federally recognized American Indian tribe whose duties include determinations or redeterminations of income maintenance program eligibility.

(2) The department shall promulgate rules establishing standards of competency, including examina-

tions and training requirements, for income maintenance workers.

(3) A person hired as an income maintenance worker on or after the effective date of this subsection [revisor inserts date], may not become a permanent employe until the person completes a training program approved by the department and passes the examination established by the department under sub. (2).

(4) A person employed as an income maintenance worker before the effective date of this subsection [revisor inserts date], shall take the examination established by the department under sub. (2). If the person does not pass the examination, the person may not make determinations or redeterminations of income maintenance program eligibility after one year following the expiration of a collective bargaining agreement applicable to the person in effect on the effective date of this subsection [revisor inserts date], or after 3 years following the effective date of this subsection [revisor inserts date], whichever is later.

SECTION 742g. 46.036 (5) of the statutes is amended to read:

46.036 (5) The Except as provided under sub. (5m), the purchaser shall recover from provider agencies money paid in excess of the conditions of the contract from subsequent payments made to the provider.

SECTION 742r. 46.036 (5m) of the statutes is created to read:

46.036 (5m) (a) In this subsection, "residential provider" means a group home under s. 48.02 (7) or a community-based residential facility under s. 50.01 (1).

(b) 1. If revenue exceeds allowable costs incurred in a contract period commencing after 1986 and if a residential provider and purchaser renew the contract, the residential provider may retain up to 5% of the contract amount, but not more than \$3,000, except as provided under subd. 2, from the surplus to cover a deficit between revenue and allowable costs incurred in any future contract period.

2. If revenue exceeds allowable costs incurred in a contract period and if the residential provider and purchaser renew the contract, the residential provider and purchaser may agree that the residential provider may retain up to \$2,000 from the surplus, in addition to the amount retained under subd. 1, to cover a deficit between revenue and allowable costs incurred in the next succeeding contract period. The total amount retained under this subdivision and subd. 1 may not exceed 5% of the contract amount or \$5,000, whichever is less.

3. A residential provider may accumulate funds from more than one contract period under this paragraph. However, if at the end of a contract period the amount accumulated from all contract periods exceeds 5% of the amount of the existing contract or \$3,000, whichever is less, the residential provider shall

return the excess to the purchaser, except that, with the agreement of the purchaser, the residential provider may accumulate up to \$5,000 or 5% of the amount of the existing contract, whichever is less.

(c) If revenue exceeds allowable costs in a contract period a residential provider may apply up to 5% of the contract amount, but not more than \$3,000, from the surplus to cover a deficit between revenue and allowable costs incurred in the immediately preceding contract period. A deficit incurred in a contract period is not an allowable cost for the succeeding contract period.

(d) In any contract period, the maximum amount which may be retained to cover a deficit in a future contract period under par. (b) 1 or 2 is reduced by the amount applied to a deficit in the preceding contract period under par. (c).

SECTION 780m. 46.06 (4) of the statutes is amended to read:

46.06 (4) SALES. The department may, with the approval of the building commission, sell and convey such lands under the jurisdiction of the department as the secretary deems to be in excess of the present or future requirements of the department for either the operation of its facilities or programs, for the maintenance of buffer zones adjacent to its facilities or for other public purposes. The proceeds of such sales ~~shall be credited to the state building trust fund~~ are subject to s. 13.48 (14) (c).

SECTION 782. 46.215 (1) (o) of the statutes is amended to read:

46.215 (1) (o) 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 s. 49.50 (7m).~~

SECTION 784. 46.22 (1) (b) 11 of the statutes is amended to read:

46.22 (1) (b) 11. 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 s. 49.50 (7m).

Vetoed in Part SECTION 789. 46.25 (8) of the statutes is amended to read:

~~46.25 (8) The department may charge counties seeking collection of child and spousal support for any administrative costs it incurs in providing services related to the federal parent locator service under 42 USC 652, the interception of unemployment compensation under 42 USC 654 or the withholding of state and federal income tax refunds under s. 46.255 and 42 USC 664 collecting that support. The department shall promulgate rules establishing any services for which it charges fees under this subsection and the fees for those services.~~

SECTION 790. 46.25 (9) (d) of the statutes is repealed.

SECTION 790e. 46.25 (11) of the statutes is created to read:

46.25 (11) The department may, upon request, disclose to a consumer reporting agency, as defined under 45 CFR 303.105 (a), the amount of overdue child support owed by a parent. The department shall notify the parent prior to disclosing the information to the consumer reporting agency and inform the parent of the methods available for contesting the accuracy of the information.

SECTION 790m. 46.255 (4m) of the statutes is created to read:

46.255 (4m) (a) In this subsection, "vendor" means a person providing goods or services to this state under subch. IV or V of ch. 16 or under ch. 84 or any medical assistance provider, as defined under s. 49.43 (10).

(b) The department may provide a certification under sub. (1) to the department of administration. Upon receipt of the certification, the department of administration shall determine whether the obligor is a vendor or is receiving any other payments from this state, except for wages, retirement benefits or assistance under s. 45.28, 45.351 (1) or 45.352, 1971 stats., this chapter or ch. 49 or 108. If the department of administration determines that the obligor is a vendor or is receiving payments from this state, except for wages retirement benefits or assistance under s. 45.28, 45.351 (1) or 45.352, 1971 stats., this chapter or ch. 49 or 108, it shall begin to withhold the amount certified from those payments and shall notify the obligor that the state intends to reduce any payments due the obligor by the amount the obligor is delinquent under the support or maintenance order and that the department intends to forward that amount to the clerk of the court rendering the order. The notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the support or maintenance order. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph,

the court shall set the matter for hearing. The family court commissioner may conduct the hearing. Pending further order by the court or family court commissioner, the clerk of court may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not, whether the money withheld shall be paid to the obligor or held for future support or maintenance.

(c) Except as provided by order of the court after hearing under par. (b), the department of administration shall continue withholding until the amount certified is recovered in full. The department of administration shall transfer the amounts withheld under this paragraph to the department of health and social services for distribution to the appropriate clerk of court.

(d) A setoff under s. 73.12 (3) has priority over withholding under this subsection.

SECTION 790s. 46.255 (7) of the statutes is created to read:

46.255 (7) The department may provide a certification under sub. (1) to a state agency or authority under s. 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1), 39.30 (2) (e), 39.38 (2), 39.435 (6), 39.44 (4), 39.47 (2m), 45.351 (1) or (2) (c), 45.396 (6), 45.74 (6), 45.80 (2) (e), 144.245 (5m) (b), 144.25 (8) (L), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f), 234.90 (3) (d) or 949.08 (2) (g).

SECTION 790t. 46.257 (2) of the statutes is amended to read:

46.257 (2) The department ~~may shall~~, if the necessary federal approvals are received, 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. ~~If the necessary federal approvals are received, the department shall implement the program in 2 counties on or before APRIL 1, 1988.~~

SECTION 790u. 46.257 (3) of the statutes is amended to read:

46.257 (3) Under this program, the department ~~may shall~~ 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). The department may enter into agreements with no more than 2 counties except with the review and approval of the governor.

SECTION 791. 46.257 (3m) of the statutes is amended to read:

46.257 (3m) If the department enters into agreements with counties under sub. (3), at least one of the counties may be a county which participates in the work experience and job training pilot program under s. 49.50 (7j).

Vetoed in Part

Vetoed in Part

SECTION 791r. 46.257 (6m) of the statutes is created to read:

46.257 (6m) A designee under s. 59.07 (97) may not administer the program under this section in a county unless the designee is the county department under s. 46.215, 46.22 or 46.23.

SECTION 794. 46.26 (2) (c) of the statutes is amended to read:

46.26 (2) (c) Funds under this section may not be used to reduce the county fiscal effort indicated in the 1979 coordinated plan and budget, and funds may not be used to replace amounts or services provided or purchased by the county in calendar year 1979. All funds under this section shall be used to purchase or provide juvenile delinquency-related services under ch. 48, except that no funds under this section may be used for purposes of land purchase, building construction or maintenance of buildings under ss. 46.17 and 46.175, for reimbursement of costs under ~~ss. 48.208 and s. 48.209~~, for city lockups or for reimbursement of care costs in temporary shelter care under s. 48.22. Funds under this section may be used for reimbursement of costs of program services, other than basic care and supervision costs, in juvenile secure detention facilities.

SECTION 796. 46.26 (2) (c) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

46.26 (2) (c) All funds under this section shall be used to purchase or provide juvenile delinquency-related services under ch. 48, except that no funds under this section may be used for purposes of land purchase, building construction or maintenance of buildings under ss. 46.17 and 46.175, for reimbursement of costs under s. 48.209, for city lockups or for reimbursement of care costs in temporary shelter care under s. 48.22. Funds under this section may be used for reimbursement of costs of program services, other than basic care and supervision costs, in juvenile secure detention facilities.

SECTION 798. 46.26 (3) (cm) of the statutes is repealed.

SECTION 800. 46.26 (3) (dm) of the statutes is created to read:

46.26 (3) (dm) The department may carry forward for a county from one calendar year to another funds allocated under this subsection that are not spent or encumbered. The amount that the department may carry forward for a county under this paragraph may not exceed 3% of the amount allocated to the county for the 12-month period ending December 31. The funds carried forward under this paragraph do not affect a county's base allocation.

SECTION 801. 46.26 (3) (e) of the statutes is amended to read:

46.26 (3) (e) The department may carry forward \$500,000 or 10% of its funds allocated under this subsection and not encumbered or carried forward under

par. (dm) by counties by December 31, whichever is greater, to the next fiscal year. The department may transfer moneys from or within s. 20.435 (4) (cd) to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next fiscal year to improve community-based juvenile delinquency-related services. The allocation does not affect a county's base allocation.

SECTION 805. 46.26 (3) (f) of the statutes is repealed.

SECTION 807m. 46.26 (4) (a) of the statutes is amended to read:

46.26 (4) (a) The department shall bill counties or deduct from the allocations under s. 20.435 (4) (cd) for the costs of care, services and supplies purchased or provided by the department for each person receiving services under ss. 48.34 and 51.35 (3). The department may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 after the person reaches 19 years of age. Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department shall withhold aid payments in the amount due from the appropriations under s. 20.435 (4) (b) or (cd).

SECTION 809a. 46.26 (4) (d) 2 of the statutes is amended to read:

46.26 (4) (d) 2. Beginning July 1, ~~1985~~ 1987, and ending December 31, ~~1985~~ 1987, the per person daily cost assessment to counties shall be ~~\$90.24~~ \$93.40 for care in a juvenile correctional institution, ~~\$90.18~~ \$93.40 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$87.35~~ the dollar amount set by the department by rule for maintaining a prisoner in an adult correctional institution, ~~\$99.09~~ \$99.09 for care in a child caring institution, ~~\$58.54~~ \$63.23 for care in a group home for children, ~~\$20.08~~ \$44.61 for care in a foster home and ~~\$4.47~~ \$6.64 for departmental aftercare services.

SECTION 810a. 46.26 (4) (d) 3 of the statutes is amended to read:

46.26 (4) (d) 3. In calendar year ~~1986~~ 1988, the per person daily cost assessment to counties shall be ~~\$91.93~~ \$93.85 for care in a juvenile correctional institution, ~~\$91.87~~ \$93.85 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$90.87~~ the dollar amount set by the department by rule for maintaining a prisoner in an adult correctional institution, ~~\$102.08~~ \$102.08 for care in a child caring institution, ~~\$61.49~~ \$65.17 for care in a group home for children, ~~\$20.08~~ \$45.95 for care in a foster home and ~~\$4.71~~ \$6.71 for departmental aftercare services.

~~SECTION 811a. 46.26 (4) (d) 4 of the statutes is amended to read:~~

~~46.26 (4) (d) 4. Beginning January 1, ~~1987~~ 1989, and ending June 30, ~~1987~~ 1989, the per person daily~~

Vetoed
in Part

~~cost assessment to counties shall be \$93.50 \$94.81 for care in a juvenile correctional institution, \$93.54 \$94.81 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), \$94.52 the dollar amount set by the department by rule for maintaining a prisoner in an adult correctional institution, \$103.62 for care in a child caring institution, \$64.62 \$67.17 for care in a group home for children, \$24.08 \$46.33 for care in a foster home and \$4.97 \$6.82 for departmental aftercare services.~~

SECTION 811ac. 46.26 (4) (dm) of the statutes is created to read:

46.26 (4) (dm) The department shall promulgate rules to provide rates under par. (d) 2, 3 and 4 for maintaining a person in an adult correctional institution. The rate shall not vary according to the adult correctional institution where a person is placed. The rate shall reflect the average daily cost associated with maintaining prisoners in adult correctional institutions.

SECTION 811ag. 46.26 (6) of the statutes is created to read:

46.26 (6) PERFORMANCE STANDARDS. (a) The intent of this subsection is to develop criteria to assist the legislature in allocating funding, excluding funding for base allocations, from the appropriations under s. 20.435 (4) (cd) and (oo) for purposes described in this section.

Vetoed
in Part

~~(b) On or before October 30, 1987,~~ the department shall submit recommendations to the joint committee on finance regarding performance standards criteria to be used to determine whether counties are successfully diverting juveniles from juvenile correctional institutions and into less restrictive community programs and are successfully rehabilitating children adjudged delinquent. ~~The joint committee on finance shall approve or modify the performance standards criteria on or before December 31, 1987, and may modify the criteria periodically thereafter.~~ Beginning January 1, 1988, counties shall provide information requested by the department in order to apply the criteria and assess performances.

Vetoed
in Part

~~SECTION 811am. 46.263 of the statutes is created to read.~~

Vetoed
in Part

~~46.263 Restitution and community service projects.~~

~~(1) Every county with a population of 13,000 or more shall provide restitution and community service work project services.~~

~~(2) Except as provided in sub. (3), the circuit judges in each county shall approve written general policy guidelines for the operation of the project under sub. (1).~~

~~(3) Two or more contiguous counties may establish a joint project under sub. (1). If a joint project is established, the circuit judges of the counties involved shall approve written general policy guidelines for the operation of the project.~~

~~(4) A county, or counties if a joint project is established, may provide the services under this section~~

~~through county staff or may contract with any person or public or private entity to provide the services.~~

Vetoed
in Part

~~(5) Prior to December 1, 1987, the department shall establish minimum performance standards which shall govern eligibility and distribution of state funding to restitution and community service projects under s. 20.435 (4) (cm).~~

SECTION 816m. 46.266 of the statutes is created to read:

46.266 Relocation funds for community services. (1) Notwithstanding s. 49.45 (6m) (ag), for the period beginning on July 1, 1987, and ending on June 30, 1989, the department may transfer or credit funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (4) (b), in order to provide funding of community services for an eligible individual, if all of the following apply:

(a) A nursing home terminates use of a bed occupied by the individual and the department decreases the statewide nursing home bed limit under s. 150.31 (3m) to account for that termination as part of a plan submitted by the nursing home and approved by the department.

Vetoed
in Part

~~(b) The nursing home bed is not redistributed under s. 150.40.~~

Vetoed
in Part

(c) The individual is aged 22 to 64 and has a diagnosis of mental illness.

(d) Provision of services is not authorized under s. 46.277 for the individual or for an individual receiving care under s. 46.40 and for whom care under s. 46.277 might be substituted.

(e) The amount of funds transferred or credited do not exceed 60% of the daily medical assistance reimbursement rate under s. 49.45 (6m) of the facility for care provided in the nursing home as of the date of action by the department under s. 150.31 (3m).

Vetoed
in Part

(2) If a person who is provided services under sub. (1) discontinues service provision, an individual may receive services in place of the person who discontinues if that individual is aged 22 to 64, has a diagnosis of mental illness and would meet the level of care requirements for medical assistance reimbursement in a skilled nursing facility or intermediate care facility but for a finding that the facility is an institution for mental diseases, except that the total number of persons receiving services may not exceed the number of nursing home beds by which the department decreases the statewide nursing home bed limit under s. 150.31 (3m) and does not redistribute under s. 150.40 as part of a plan submitted by the facility and approved by the department.

Vetoed
in Part

SECTION 816mm. 46.267 of the statutes is created to read:

46.267 Early release and intensive supervision program; limits. The department may establish a program for the early release and intensive supervision of children who have had their legal custody transferred under s. 48.34 (4m) to a subunit of the department administering corrections for placement in a secured

correctional facility. The program may not include any children who have been placed in a secured correctional facility as a result of a delinquent act involving the commission of a violent crime as defined in s. 969.035, but not including the crime specified in s. 940.225 (1) (d).

SECTION 817. 46.27 (1) (b) of the statutes is amended to read:

46.27 (1) (b) "Nursing home" means a facility that meets the definition in s. 50.01 (3) and that is licensed under s. 50.03 (1) and includes a state center for the developmentally disabled and the Wisconsin veterans home at King.

SECTION 818. 46.27 (1) (dr) of the statutes is created to read:

46.27 (1) (dr) "State-operated long-term care facility" means a state center for the developmentally disabled and the Wisconsin veterans home at King.

SECTION 819. 46.27 (3) (e) of the statutes is amended to read:

46.27 (3) (e) After implementing the program for 12 months 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 819m. 46.27 (3) (h) of the statutes is amended to read:

46.27 (3) (h) Identify the service needs of ~~victims of~~ persons with Alzheimer's disease and of their caregivers.

SECTION 820. 46.27 (4) (b) of the statutes is repealed.

SECTION 820m. 46.27 (4) (c) 4 of the statutes is amended to read:

46.27 (4) (c) 4. A description of the method to be used to coordinate the use of funds received under this program with the use of other funds allocated to the county under ss. 46.80 (5), ~~46.85 (3m) (b) 1 and 2~~ and 49.52 (1) (d) and to county departments under s. 51.423.

SECTION 820r. 46.27 (4) (c) 7 of the statutes is amended to read:

46.27 (4) (c) 7. A description of services and programs to be provided to meet the needs of ~~victims of~~ persons with Alzheimer's disease.

SECTION 821. 46.27 (5) (am) of the statutes is amended to read:

46.27 (5) (am) Organize assessment activities specified in sub. (6). The county department shall utilize persons for each assessment who can determine the

needs of the person being assessed and who know the availability within the county of services alternative to placement in a nursing home ~~or in a state center for the developmentally disabled.~~ If any hospital patient is referred to a nursing home for admission, these persons shall work with the hospital discharge planner in performing the activities specified in sub. (6). The county department shall coordinate the involvement of representatives from the county departments under ss. 46.215, 46.22, 51.42 and 51.437, health service providers and the county commission on aging in the assessment activities specified in sub. (6), as well as the person being assessed and members of the person's family or the person's guardian.

SECTION 822. 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 823. 46.27 (6) (a) 1. (intro.) of the statutes is renumbered 46.27 (6) (a) 1 and amended to read:

46.27 (6) (a) 1. Within the limits of state and federal funds allocated under sub. (7), an assessment shall be conducted for any person identified in sub. (5) (e) or who is seeking admission to or is about to be admitted to ~~any of the following facilities:~~ a nursing home.

SECTION 824. 46.27 (6) (a) 1. a to bm of the statutes are repealed.

SECTION 825. 46.27 (6) (a) 1m of the statutes is amended to read:

46.27 (6) (a) 1m. Each assessment shall determine the person's functional abilities, disabilities and need for medical and social long-term community support services. Each assessment shall include an investigation of long-term community support services that could serve as alternatives to institutional care in a nursing home ~~or in a state center for the developmentally disabled.~~ The assessment shall include an explanation of the potential community alternatives to the person being assessed and the person's family or guardian.

SECTION 826. 46.27 (6) (a) 2. cm of the statutes is created to read:

46.27 (6) (a) 2. cm. Persons seeking admission to or about to be admitted to the Wisconsin veterans home at King under subd. 1 who are informed about the program but waive the assessment.

SECTION 827. 46.27 (6) (a) 2. d of the statutes is amended to read:

46.27 (6) (a) 2. d. Any person who is readmitted to a nursing home ~~or state center for the developmentally~~

~~disabled~~ from a hospital within 6 months after being assessed.

SECTION 828. 46.27 (6) (a) 2. e of the statutes is amended 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 829. 46.27 (6) (a) 2. h of the statutes is created to read:

46.27 (6) (a) 2. h. A person who is admitted to a nursing home from another nursing home, unless the person requests an assessment and funds allocated for assessments under sub. (7) (am) are available to the county.

SECTION 830. 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. ~~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 is already admitted to a nursing home or state center for the developmentally disabled. If a person who is already admitted to a nursing home requests an assessment and if funds allocated for assessments under sub. (7) (am) are available, the county shall conduct the assessment.~~

SECTION 831. 46.27 (6) (c) of the statutes is repealed.

SECTION 831m. 46.27 (6g) (intro.) of the statutes is amended to read:

46.27 (6g) FISCAL RESPONSIBILITY. (intro.) ~~Within~~ Except as provided in s. 51.40, and 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:

SECTION 832. 46.27 (6g) (b) of the statutes is amended to read:

46.27 (6g) (b) For a person residing in a nursing home, except a state-operated long-term care facility, the county in which the nursing home is located is the county of fiscal responsibility.

SECTION 833. 46.27 (6g) (c) of the statutes is amended to read:

46.27 (6g) (c) For a person living in a nursing home, except a state-operated long-term care facility, whose legal residence is established in another county, the county in which the legal residence is established is the county of fiscal responsibility.

SECTION 834. 46.27 (6g) (d) of the statutes is amended to read:

46.27 (6g) (d) For a person residing in a ~~state facility under sub. (6) (a) 1. b~~ state-operated long-term care facility, 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~~ state-operated long-term care facility or is protectively placed is the county of fiscal responsibility.

SECTION 835. 46.27 (6r) (c) of the statutes is amended to read:

46.27 (6r) (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.

SECTION 836. 46.27 (7) (a) of the statutes is repealed.

SECTION 837. 46.27 (7) (am) of the statutes is amended to read:

46.27 (7) (am) ~~After December 31, 1985, from~~ From the appropriation under s. 20.435 (4) (bd), the department shall allocate funds to each county 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 838. 46.27 (7) (b) 1 of the statutes is repealed.

SECTION 839. 46.27 (7) (b) 1m of the statutes is amended 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 county department 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~~ payment rate the department expects under s. 49.45 (6m). The county department 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 840. 46.27 (7) (b) 1m of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed and recreated to read:

46.27 (7) (b) 1m. From the appropriation under s. 20.435 (4) (bd), the department shall allocate funds to

each county to pay the cost of providing long-term community support services under sub. (5) (b) not otherwise paid under s. 49.45 to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the county department 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 payment rate the department expects under s. 49.45 (6m). The county department 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 841. 46.27 (7) (b) 2 of the statutes is amended to read:

46.27 (7) (b) 2. No county may use funds received under this paragraph to pay for long-term community support services provided any person who resides in a nursing home ~~or state center for the developmentally disabled~~, unless the department waives this restriction on use of funds and the services are provided in accordance with a discharge plan.

SECTION 842. 46.27 (7) (c) 1 of the statutes is repealed.

SECTION 843. 46.27 (7) (e) (intro.) of the statutes is renumbered 46.27 (7) (e) and amended to read:

46.27 (7) (e) No county may use funds received under this section to: purchase land or construct buildings.

SECTION 843g. 46.27 (7) (e) 1 of the statutes is repealed.

SECTION 843m. 46.27 (7) (e) 2 of the statutes is renumbered 46.27 (7) (em) 1. a.

SECTION 843p. 46.27 (7) (e) 3 of the statutes is renumbered 46.27 (7) (em) 1. b and amended to read:

46.27 (7) (em) 1. b. Reduce the federal, state or county matching expenditures for long-term community support services provided to any person under sub. (5) (b) from funds allocated under s. 46.80 (5), 46.85 (3m) (b) 1 and 2, 49.52 (1) (d) or 51.423, except to the extent that federal or state funding allocated under these sections decreases.

SECTION 843r. 46.27 (7) (em) 1. (intro.) and 2 of the statutes are created to read:

46.27 (7) (em) 1. (intro.) Until 36 months have elapsed from the date that a county initially participates in and implements the program under this section, the county may not use funds received under this section to:

2. This paragraph does not apply after June 30, 1989.

SECTION 845. 46.27 (7) (fm) of the statutes is created to read:

46.27 (7) (fm) The department shall, at the request of a county, carry forward up to 10% of the amount

allocated under this subsection to the county for a calendar year if up to 10% of the amount so allocated has not been spent or encumbered by the county by December 31 of that year, for use by the county in the following calendar year. The department may transfer funds within s. 20.435 (4) (bd) to accomplish this purpose. An allocation under this paragraph does not affect a county's base allocation under this subsection and shall lapse to the general fund unless expended within the calendar year to which the funds are carried forward. A county ~~with a population over 500,000~~ may not expend funds carried forward under this paragraph for administrative or staff costs.

SECTION 846. 46.27 (7) (g) (intro.) of the statutes is amended to read:

46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal year up to \$500,000 of funds allocated under this subsection and not encumbered by counties by December 31 ~~to the next state fiscal year or carried forward under par. (fm)~~. 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:

~~SECTION 846m. 46.27 (7m) of the statutes is created to read:~~

~~46.27 (7m) RIGHT TO HEARING. A person who is denied eligibility for services or whose services are reduced or terminated under this section may request a hearing from the department under s. 227.44.~~

SECTION 847. 46.27 (8) of the statutes is amended to read:

46.27 (8) COUNTY PARTICIPATION. ~~In 1985, any county may elect to participate in the program. In 1986, a~~ Every county shall participate in and implement the program.

SECTION 848. 46.27 (9) (a) of the statutes is amended to read:

46.27 (9) (a) The department may select up to 5 counties that volunteer to participate in a pilot project under which they will receive certain funds allocated for long-term care. The department shall allocate a level of funds to these counties equal to the amount that would otherwise be paid under s. 20.435 (1) (b) to nursing homes for providing care because of increased utilization of nursing home services, as estimated by the department. In estimating these levels, the department shall exclude any increased utilization of services provided by ~~state-operated nursing homes state centers for the developmentally disabled~~. The department shall calculate these amounts on a calendar year basis under sub. (10).

Vetoed
in Part

Vetoed
in Part

SECTION 849. 46.27 (11) (a) and (b) of the statutes are amended to read:

46.27 (11) (a) ~~On or before October 1, 1985, the~~ 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~~ the implementation of the waiver.

Vetoed
in Part

~~SECTION 850. 46.27 (11) (c) 4 of the statutes is created to read:~~

~~46.27 (11) (c) 4. The statewide average per person per month reimbursement for services provided under this subsection may not exceed any of the following:~~

- ~~a. In state fiscal year 1987-88, \$800.~~
- ~~b. In state fiscal year 1988-89, \$800.~~

SECTION 851. 46.27 (11) (d) of the statutes is repealed.

SECTION 851m. 46.27 (12) of the statutes is created to read:

46.27 (12) RULES. The department shall promulgate rules establishing the following:

(a) Fiscal management procedures required to be implemented by counties in administering the program under this section, as follows:

1. A simple contract between the community options program client and the service provider for that client.
2. A method for documenting the amount of service provided to enable verification of the appropriateness of payment.
3. Guidelines for determining whether a potential community options program client is competent to receive community options program funds directly or if an action should be brought for a determination of competency and the appointment of a guardian.
4. Supervisory review of community options program client payment decisions.

(b) Standards to ensure that only a single payment is made by the department for an initial community options case plan conducted by a county.

SECTION 851r. 46.275 (5) (b) 2 of the statutes is amended to read:

46.275 (5) (b) 2. Reduce federal, state or county matching expenditures for long-term community support services provided to any person as part of this program from funds allocated under s. 46.80 (5), 46.85 (3m) (b) 1 and 2, 49.52 (1) (d) or 51.423, as indicated in the county's budget or by actual expenditures.

SECTION 852g. 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 counties and to 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 1983-84 and may not exceed \$56.38 per person relocated under the program per day of relocation for fiscal year 1984-85.~~ The department shall request approval of 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 and may not exceed \$30 per person relocated under the program per day of relocation, except as provided in par. (cm). 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 852r. 46.275 (5) (cm) of the statutes is created to read:~~

~~46.275 (5) (cm) The daily reimbursement rate specified in par. (c) may be modified by the department only if the department first submits the proposed modification to the joint committee on finance and, within 14 working days after the date of submittal, one of the following occurs:~~

1. The cochairpersons of the joint committee on finance do not notify the department that the joint committee on finance has scheduled a meeting for the purpose of reviewing the proposed modification.
2. The cochairpersons of the joint committee on finance notify the department that the joint committee on finance has scheduled a meeting for the purpose of reviewing the proposed modification and, following review, the joint committee on finance approves a modification to the rate.

Vetoed
in Part

SECTION 853. 46.275 (6) of the statutes is amended to read:

46.275 (6) EFFECTIVE PERIOD. This section takes effect on the date approved by the secretary of the U.S. department of health and human services ~~approves as the beginning date of the period of waiver request submitted received under sub. (2) or on July 2, 1983, whichever is later.~~ This section remains in effect for 3 years following that date and, if the secretary of the U.S. department of health and human services approves an a waiver extension, shall continue an additional 3 years.

SECTION 854. 46.277 (1m) (am) of the statutes is created to read:

46.277 (1m) (am) "Plan submitted by the facility" means an individual relocation plan under s. 50.03 (14).

Vetoed
in Part

~~SECTION 854m. 46.277 (4m) of the statutes is created to read:~~

~~46.277 (4m) SERVICES FOR PERSONS WITH MENTAL ILLNESS. (a) In this subsection, "state share" means that portion of the daily reimbursement rate for the provision of home or community-based services to persons under this section that is not reimbursed by federal funds.~~

~~(b) The department shall make available to a county that participates in the program under this section from the appropriation under s. 20.435 (1) (b) funds equivalent to the state share for the provision of community-based care for an individual who is aged 22 to 64 and has a diagnosis of mental illness.~~

SECTION 855. 46.277 (5) (b) of the statutes is amended to read:

~~46.277 (5) (b) Prior to relocating any person under the program, the department shall submit to the joint committee on finance a method for determining the medical assistance reimbursement levels to be provided to any county under par. (a) for the committee's approval. Total funding to any county for relocating each person counties under the program may not exceed the statewide average daily medical assistance reimbursement rate for the class of facility involved per day of relocation amount approved in the waiver received under sub. (2).~~

SECTION 855m. 46.277 (5g) of the statutes is created to read:

46.277 (5g) LIMITATION ON SERVICE. The number of persons served 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 856. 46.277 (5m) of the statutes is amended to read:

46.277 (5m) REPORT. By March July 1 of each year, the department shall submit a report to the joint committee on finance and to the presiding officer of each house of the legislature describing the cost and quality of services used under the program and the extent to which existing services have been used under the program in the preceding calendar year.

SECTION 857. 46.278 of the statutes is created to read:

46.278 Community integration program for persons with mental retardation. (1) LEGISLATIVE INTENT. The intent of the program under this section is to 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 who is diagnosed as developmentally disabled under the definition specified in s. 51.01 (5) and relocated from an institution other than a state center for the developmentally disabled or who meets the intermediate care facility for the mentally retarded level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded

and is ineligible for services under s. 46.275 or 46.277. The intent of the program is also that counties use all existing services for providing care under this section, including those services currently provided by counties.

(1m) DEFINITIONS. In this section:

(a) "Intermediate care facility for the mentally retarded" has the meaning under 42 USC 1396d (c) and (d).

(b) "Medical assistance" means aid provided under ss. 49.43 to 49.47.

(c) "Program" means the community integration program for facilities certified as medical assistance providers, for which a waiver has been received under sub. (3).

(2) DEPARTMENTAL POWERS AND DUTIES. The department may request a waiver from the secretary of the federal department of health and human services, under 42 USC 1396n (c), authorizing the department to serve medical assistance recipients, who meet the level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded, in their communities by providing home or community-based services as part of medical assistance. If the department requests a waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request.

(3) WAIVER; EXTENSION; DUTIES. If the department receives a waiver requested under sub. (2), it may request a 3-year extension of the waiver under 42 USC 1396n (c) and shall perform the following duties:

(a) Evaluate the effect of the program on medical assistance costs and on the program's ability to provide community care alternatives to institutional care in facilities certified as medical assistance providers.

(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.

(4) COUNTY PARTICIPATION. (a) 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 a person in an intermediate care facility for the mentally retarded who meets the intermediate care facility for the mentally retarded level of care requirements for medical assistance reimbursement to that facility rather than for care provided at a state center for the developmentally disabled.

(b) 1. 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 delicensing all or part of the facility that is approved by the department.

2. Each county department participating in the program shall provide 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 that are approved under the waiver received under sub. (3).

(5) ELIGIBILITY OF RESIDENTS. (a) Any medical assistance recipient who meets the level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded and is ineligible for service under s. 46.275 or 46.277 is eligible to participate in the program, except that the number of participants may not exceed the number approved under the waiver received under sub. (3). Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in the program. Section 46.275 (4) (b) applies to participation in the program.

(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 intermediate care facility for the mentally retarded level of care requirements for medical assistance reimbursement in an intermediate care facility for the mentally retarded, except that the number of participants concurrently served may not exceed the number approved under the waiver received under sub. (3).

(6) FUNDING. (a) The provisions of s. 46.275 (5) (a) and (b) apply to funding received by counties under the program.

(b) Total funding to counties for relocating each person under the program may not exceed the amount approved in the waiver received under sub. (3).

(7) REPORT. By July 1 of each year, the department shall submit a report to the joint committee on finance and to the presiding officer of each house of the legislature describing the cost and quality of services used under the program and the extent to which existing services have been used under the program in the preceding calendar year.

(8) EFFECTIVE PERIOD. Except as provided under sub. (2), this section takes effect on the date approved by the secretary of the federal department of health and human services as the beginning date of the period of waiver received under sub. (3). This section remains in effect for 3 years following that date and, if the secretary of the federal department of health and human services approves a waiver extension, shall continue an additional 3 years.

~~SECTION 859m. 46.33 of the statutes is created to read:~~

~~46.33 Guaranteed jobs program. (1) In this section,~~

~~(a) "Governmental body" has the meaning under s. 895.52 (1) (a).~~

~~(b) "Job developer" means a person who contracts with the department to provide services for the program under this section.~~

~~(2) The department shall establish a pilot program to provide job opportunities for high school graduates. The department shall select high schools to participate in the program from one county which has high unemployment, a high rate of school dropouts and large numbers of recipients of aid to families with dependent children under s. 49.19 and general relief under s. 49.02. The department shall ensure that services under the program will begin no later than May 1, 1988. Any graduate of a high school in which the program is operating, or any high school graduate who lives in the attendance area of a high school in which the program is operating, at the time of the person's graduation who meets the income eligibility standard for a reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) is eligible to register for the program under this section within 5 years after he or she graduates.~~

~~(3) The department shall contract with one or more job developers to provide the services for the program under this section. Services provided by a job developer under this section shall include:~~

- ~~(a) Employment skills training~~
- ~~(b) Job search assistance~~
- ~~(c) Development of, and participant placement in, jobs other than community service jobs under sub. (4), including the use of all of the following:~~

~~1. The federal targeted jobs tax credit under sections 50 and 51 of the internal revenue code.~~

~~2. Grant diversion under s. 49.50 (7g) for participants who receive aid to families with dependent children under s. 49.19.~~

~~(d) Development of, and placement in, community service jobs under sub. (4) for participants who cannot be placed in jobs under par. (c).~~

~~(4) (a) A community service job provided under this section shall be a job with a governmental body or with a nonprofit organization, as defined under s. 108.02 (19), which serves a useful public purpose.~~

~~(b) In a county in which the program under this section operates, if the program under s. 49.50 (7j) does not operate in the county, the county executive or county administrator or, if the county has no county executive or county administrator, the chairperson of the county board shall appoint a guaranteed jobs program council. In a county in which the program under this section and the program under s. 49.50 (7j) operate, the community work experience program council under s. 49.50 (7j) (d) 3 shall be the guaranteed jobs program council. The council shall work with a job developer to develop community service jobs. A guaranteed jobs program council appointed under this section shall include the following members:~~

- ~~1. An elected county official.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~2. A representative of the county department under s. 46.215, 46.22 or 46.23.~~

~~3. A representative of a local school district.~~

~~4. A representative of organized labor.~~

~~5. A recipient of aid to families with dependent children or a representative of a recipient advocacy group.~~

~~6. A representative of private business nominated by the area private industry council under the job training partnership act, 29 USC 1501 to 1781.~~

~~7. A representative of the office which administers the program under s. 49.50 (7) in the county.~~

~~(c) A job developer shall compensate a program participant placed in a community service job at the applicable minimum wage under s. 104.825 (2). The department shall reimburse a job developer for wages paid under this paragraph.~~

~~(d) A community service job under this section may not do any of the following:~~

~~1. Displace a regular employe of a governmental body or decrease overtime worked by a regular employe of a governmental body.~~

~~2. Fill an established unfilled governmental position unless the position is unfunded in a governmental body budget.~~

~~3. Fill a position which would otherwise be a promotional opportunity for a regular employe of a governmental body.~~

~~4. Fill a position in a governmental body prior to compliance with all required personnel procedures and provisions of collective bargaining agreements.~~

~~5. Fill a work assignment customarily performed by an employe of a governmental body in a job classification within a recognized collective bargaining unit at the work site or a work assignment in a governmental body bargaining unit in which funded positions are vacant or in which regular employes are laid off.~~

~~6. Cause the violation of a collective bargaining agreement by a governmental body.~~

~~(5) From the appropriation under s. 20.435 (4) (b), the department shall reimburse a job developer for its services under this section. Except as provided in sub. (4) (c), reimbursement shall be solely based on job placements. The amount of reimbursement for a job placement shall be based on a sliding scale taking into account the quality of the job, including wages, hours and fringe benefits, with higher payment for a private sector job, as determined by the department by rule.~~

~~(6) The department shall promulgate rules for the administration of the program under this section.~~

~~(7) The department shall submit a report evaluating the program established under this section to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) by January 1, 1990. The report shall include job placement rates by gender and racial group.~~

SECTION 861. 46.40 of the statutes is created to read:

46.40 Allocation of community aids funds. Within the limits of available federal funds and of the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, to county aging units and private nonprofit organizations as authorized under s. 46.87 (3) (c) 4 and (4) and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services for the period beginning July 1, 1987, and ending June 30, 1989, as follows:

(1) **BASIC COUNTY ALLOCATION.** (a) For social services under s. 49.52 (1) (d) and services under s. 51.423 (2), the department shall allocate not more than \$111,677,400 for the last 6 months of 1987, not more than \$197,344,400 for 1988 and not more than \$98,544,900 for the first 6 months of 1989.

(b) From the amount under par. (a) for 1987, the department shall allocate to each county for the last 6 months of 1987 an amount equal to the amount allocated to the county as its basic county allocation for the first 6 months of 1987 under 1985 Wisconsin Act 29, section 3023 (3) (a) 4.

(c) From the amount under par. (a) for 1988, the department shall allocate to each county for 1988 an amount equal to the amount allocated to the county as the basic county allocation for 1987 under par. (b) and 1985 Wisconsin Act 29, section 3023 (3) (a) 4 minus the amount of that allocation required to be spent by the county for the purposes of s. 46.26 by s. 46.26 (2) (c), 1985 stats., and minus the portion of the amount by which the federal social services block grant funds under 42 USC 1397 to 1397e received by this state in fiscal year 1987-88 exceeds the amount received in fiscal year 1988-89 that will distribute the reduction as an equal percentage reduction to each county.

(d) The department shall allocate to each county for the first 6 months of 1989 the percentage of the amount under par. (a) for the first 6 months of 1989 equal to the percentage of the amount under par. (a) for 1988 allocated to the county under par. (c).

(2) **CATEGORICAL ALLOCATION FOR SERVICES TO CHILDREN.** (a) For services to children and families, the department shall allocate not more than \$1,947,200 for the last 6 months of 1987, not more than \$3,894,400 for 1988 and not more than \$1,947,200 for the first 6 months of 1989.

(b) In addition to the amounts under par. (a), the department shall allocate, for community treatment of abused and neglected children, not more than \$500,000 for 1988 and not more than \$250,000 for the first 6 months of 1989.

(3) **SUPPORTIVE HOME CARE.** For supportive home care services, the department shall allocate not more than \$7,267,800 for the last 6 months of 1987, not

more than \$14,501,400 for 1988 and not more than \$7,250,700 for the first 6 months of 1989.

(4) CHILD DAY CARE SERVICES. For child day care services under s. 46.98, the department shall allocate not more than \$5,633,300 for the last 6 months of 1987, not more than \$13,266,600 for 1988 and not more than \$6,633,300 for the first 6 months of 1989.

(5) COMMUNITY SUPPORT PROGRAMS. For community support programs for the chronically mentally ill under s. 51.421, the department shall allocate not more than \$833,300 for the last 6 months of 1987, not more than \$1,666,600 for 1988 and not more than \$833,300 for the first 6 months of 1989.

(6) COMMUNITY-BASED PROGRAMS FOR THE DEVELOPMENTALLY DISABLED. (a) For community-based programs for the developmentally disabled, the department shall allocate not more than \$660,000 for the last 6 months of 1987, not more than \$1,320,000 for 1988 and not more than \$660,000 for the first 6 months of 1989.

Vetoed in Part (b) In addition to the amounts under par. (a), the department shall allocate, for community-based programs for the developmentally disabled, ~~not more than \$1,921,300 for 1988 and not more than \$960,700 for the first 6 months of 1989~~ based on the number of individuals on the waiting list for services for the developmentally disabled in each county.

(7) FAMILY SUPPORT PROGRAMS. (a) For family support programs for the families of disabled children under s. 46.985, the department shall allocate not more than \$330,600 for the last 6 months of 1987, not more than \$661,200 for 1988 and not more than \$330,600 for the first 6 months of 1989.

(b) In addition to the amounts allocated under par. (a), the department shall allocate, for expansion of the family support program in counties participating in the program on the effective date of this paragraph [revisor inserts date], not more than \$300,000 for 1988 and not more than \$150,000 for the first 6 months of 1989.

(c) In addition to the amounts allocated under par. (a), the department shall allocate, for provision of family support program services in counties not participating in the program on the effective date of this paragraph [revisor inserts date], not more than \$485,000 for 1988 and not more than \$505,000 for the first 6 months of 1989.

(8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT. For services to persons with Alzheimer's disease and their caregivers under s. 46.87, the department shall allocate not more than \$566,700 for the last 6 months of 1987, not more than \$1,133,300 for 1988 and not more than \$566,600 for the first 6 months of 1989.

(9) EMERGENCIES. For emergencies, the department may allocate not more than \$300,000 for the last 6 months of 1987, not more than \$600,000 for 1988 and not more than \$300,000 for the first 6 months of 1989.

(10) ALCOHOL, DRUG ABUSE AND MENTAL HEALTH BLOCK GRANT. (a) For alcohol and drug abuse ser-

vices funded through moneys received under 42 USC 300x to 300x-9, the department shall allocate not more than \$1,597,900 for the last 6 months of 1987, not more than \$3,195,700 for 1988 and not more than \$1,597,800 for the first 6 months of 1989.

(b) For mental health services funded through moneys received under 42 USC 300x to 300x-9, the department shall allocate not more than \$125,000 for the last 6 months of 1987, not more than \$250,000 for 1988 and not more than \$125,000 for the first 6 months of 1989.

(11) RELOCATION SERVICES FOR MENTALLY ILL PERSONS. For program start-up and services to mentally ill persons relocated or diverted from a skilled nursing facility or intermediate care facility at risk of being determined by the federal health care financing administration to be an institution for mental diseases, as defined under 42 CRF 435.1009 (e), the department may allocate not more than \$500,000 for fiscal year 1987-88 and not more than \$500,000 for fiscal year 1988-89.

~~(12) SERVICES TO PERSONS WITH EPILEPSY. For services to persons with epilepsy under s. 46.57, the department shall allocate not more than \$125,000 for 1988 and not more than \$125,000 for the first 6 months of 1989.~~

Vetoed in Part

~~(13) FOSTER CARE PLACEMENT CONTINUATION. The department shall allocate \$28,200 in fiscal year 1987-88 and \$54,900 in fiscal year 1988-89 to a county with a population of 500,000 or more for the purpose of supplementing payments for the care of an individual who attains age 18 in 1987 or 1988 and who, immediately prior to attaining age 18, resides in a foster home, as defined under s. 48.02 (6), and receives exceptional foster care payments in order to avoid institutionalization, as provided under rules promulgated by the department, so that the individual may remain in a family home situation after attaining age 18. The department shall provide funding to the county under this subsection beginning in August of 1987.~~

Vetoed in Part

(14) SERVICES TO RESIDENTS OF CHRISTIAN LEAGUE FOR THE HANDICAPPED. If the Christian league for the handicapped in Walworth county gives up its status as a provider under the medical assistance program under ss. 46.45 to 46.47, the department shall transfer \$53,800 in fiscal year 1987-88 and \$53,800 in fiscal year 1988-89 from the appropriation under s. 20.435

(1) (b) to the appropriation under s. 20.435 (4) (b) and allocate the funds to county departments under s. 46.23, 51.42 or 51.437 of the counties which are fiscally responsible for persons in the facility on the date the facility gives up its status as a medical assistance provider for the purpose of providing services to those residents.

SECTION 862. 46.45 of the statutes is created to read:

46.45 Carry-over of community aids funds. Funds allocated by the department under ss. ~~46.57 (2),~~ 46.87 **Vetoed in Part**

(3) (c) 4 and (4), 46.98 (2) (a) 2, 49.52 (1) (d) and 51.423 (2) but not spent or encumbered by counties, governing bodies of federally recognized American Indian tribes or private nonprofit organizations by December 31 of each year and funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and deposited in the appropriation under s. 20.435 (4) (b) lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year under s. 20.435 (4) (b) or as follows:

(1) The department shall carry forward funds allocated for child day care under ss. 46.98 (2) (a) 2 and 49.52 (1) (d) as provided under s. 20.435 (4) (n) and (o).

(2) The department may carry forward funds authorized to be allocated under s. 46.40 (11), but not actually allocated by December 31, for allocation for the purpose under s. 46.40 (11) in the following calendar year.

(3) (a) Except as provided in par. (b) at the request of a county, tribal governing body or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body or nonprofit organization for a calendar year, except for funds allocated for day care under ss. 46.98 (2) (a) 2 and 49.52 (1) (d) and funds allocated under s. 46.40 (11), for use by the county, tribal governing body or nonprofit organization in the following calendar year. The department may not carry forward more than 25% of the amount allocated to a county, tribal governing body or nonprofit organization under s. 46.40 (2), (3), (5) to (10) or (12). All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare funds, under 42 USC 620 to 626, and federal alcohol, drug abuse and mental health block grant funds, under 42 USC 300x to 300x-9, carried forward for a county shall be used for the purpose for which the funds were originally allocated. Except as provided under par. (am), other funds carried forward may be used for any purpose under s. 20.435 (4) (b). If a county match was required by s. 49.52 (1) (d) or 51.423 (2) when funds carried forward were originally allocated, the county match requirement applies to the funds in the following calendar year.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(am) A county with a population over 500,000 may not use any funds carried forward under par. (a) for administrative or staff costs.

(b) The department may not carry forward funds allocated to a private nonprofit organization for a calendar year for use in the next calendar year unless the organization continues to be eligible to receive an allocation under s. 46.57 (2) or 46.87 (4) in the next calendar year.

(4) At the request of a county participating in the pilot program reallocating funds for mental health care under s. 49.45 (6) the department shall carry forward

ward funds for the county as provided in s. 49.45 (6) (b).

(5) The department may carry forward up to \$250,000 of any funds not carried forward under subs. (1) to (4) to pay a county owed funds for the purchase or provision of mental health services, social services or services under s. 46.26 or 46.27 due to a prior year audit adjustment.

(6) The department may carry forward 10% of any funds not carried forward under subs. (1) to (5) for emergencies, for justifiable unit services costs above planned levels and to provide compensation for increased costs due to population shifts.

SECTION 862ab. 46.47 of the statutes is created to read:

46.47 Community aids performance standards. (1) The department, with the assistance of representatives from counties and human services advocates, shall develop performance standards for mental health and juvenile justice services funded under s. 46.40.

(2) The department shall implement the performance standards developed under sub. (1), on a pilot basis, to evaluate the mental health and juvenile justice services funded under s. 46.40 and provided by counties in 1988 and 1989. The department shall distribute any amount of community aids funds for mental health and juvenile justice services for 1990 which represents an increase in the amount of community aids funding for those services over the amount provided in 1989 based on county performance, as measured by the performance standards.

Vetoed in Part

SECTION 862abg. 46.55 of the statutes is created to read:

46.55 Grants for services to persons with brain injury. (1) In this section, "brain injury" has the meaning under s. 51.01 (2g).

Vetoed in Part

(2) (a) From the appropriation under s. 20.435 (4) (be), the department shall award demonstration grants to county departments under s. 46.23, 51.42 or 51.437 to provide services to persons with brain injury.

(b) The department shall award a grant to one county department under s. 46.23, 51.42 or 51.437 in each of 4 regions of the state, as determined by the department.

(c) The department shall award the grants on a competitive basis and shall consider the extent to which each applicant proposes to expand services available to persons with brain injury.

(3) (a) A county department under s. 46.23, 51.42 or 51.437 which receives a grant under this section shall establish a demonstration project providing community-based services, including case management, residential and vocational services, to persons with brain injury.

(b) On or before June 30, 1989, a county department which receives a grant under this section in 1987 or 1988 shall submit a report to the department on the

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results of the demonstration project. The department shall distribute the report to each county department under s. 46.23, 51.42 or 51.437.

Vetoed
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SECTION 862abr. 46.57 of the statutes is created to read:

46.57 Grants for services to persons with epilepsy.

(1) DEFINITIONS. In this section:

(a) "Agency" means a private nonprofit organization or a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 which provides or proposes to provide direct or indirect services to or on behalf of persons with epilepsy, their families or both.

(b) "Direct services" means services provided to a person with epilepsy or a member of the family of a person with epilepsy and includes counseling, providing information, referral to other services, case management, daily living skills training and parent helper services.

(c) "Indirect services" means services provided to a person working with or on behalf of a person with epilepsy and includes service provider training, community education, prevention programs and advocacy.

(2) PURPOSE, ALLOCATION. (a) From the appropriations under s. 20.435 (4) (b) and (c), the department shall award grants to agencies to provide direct or indirect services to or on behalf of persons with epilepsy, their families or both.

(b) The department shall award grants so that direct or indirect services are provided in at least 5 counties.

(c) The department may not allocate more than \$50,000 per year to any agency for the program under this section.

(3) CRITERIA FOR AWARDING GRANTS. In reviewing applications for grants, the department shall consider the following:

(a) The need for direct and indirect services to persons with epilepsy and their families in the area in which the applicant provides services or proposes to provide services.

(b) Ways to ensure that both urban and rural areas receive services under the grant program.

(4) EVALUATION. (a) After each year that an agency operates a program funded under this section the agency shall provide the following information to the department:

1. The estimated number of persons with epilepsy that reside within the area served by the agency.

2. The number of persons with epilepsy and other persons and organizations who received services within the area served by the agency.

(b) The subunit of the department which is responsible for departmental program evaluation shall annually submit, to the governor and the chief clerk of each house of the legislature for distribution under s. 13.172 (3), a report evaluating the grant program under this section.

SECTION 862ac. 46.80 (5) (b) of the statutes is repealed.

SECTION 862ae. 46.81 of the statutes is created to read:

46.81 Benefit specialist program. (1) In this section:

(a) "Aging unit" means the agency in each county designated by the department as an aging unit for purposes of the state plan under 42 USC 3027.

(b) "Area agency on aging" means the agency designated under 42 USC 3025 (a) (2) (A).

(c) "Older person" means a person 60 years of age or older.

(2) From the appropriation under s. 20.435 (4) (dj), the department shall allocate \$818,600 for 1988 and ~~\$409,300 for~~ the first 6 months of 1989 to aging units to provide benefit specialist services for older persons. The department shall ensure that each aging unit receives funds and shall take into account the proportion of the state's population of low-income older persons who reside in a county.

(3) An aging unit shall use the funds allocated under sub. (2) and federal funds designated for the purpose to provide benefit specialist services to older persons including those residing on American Indian reservations. Aging units may also use other funds to provide benefit specialist services.

(4) Benefit specialists shall offer information, advice and assistance to older persons related to individual eligibility for, and problems with, public benefits and services and to health care financing, insurance, housing and other financial and consumer concerns. Benefit specialists shall refer older persons in need of legal representation to the private bar or other available legal resources.

(5) From the appropriation under s. 20.435 (4) (dj) the department shall allocate \$133,000 in ~~fiscal year~~ ~~1987-88~~ and ~~\$133,000 in fiscal year~~ ~~1988-89~~ to area agencies on aging for training, supervision and legal back-up services for the benefit specialist program.

(6) An area agency on aging shall use the funds allocated under sub. (5) for training, supervision and legal back-up services for benefit specialists within its area.

SECTION 862ag. 46.85 (title) of the statutes is amended to read:

46.85 (title) Senior companion and retired senior volunteers programs and home-delivered meals projects.

SECTION 862ah. 46.85 (3m) of the statutes is renumbered 46.85 (3m) (a) and amended to read:

46.85 (3m) (a) From the appropriation under s. 20.435 (4) (dh), the department shall provide a state supplement to federally funded senior companion and retired senior volunteer program units. ~~Beginning January 1, 1982, and ending December 31, 1982, each unit shall receive an amount equal to its 1981 state allocation. In addition, the department may provide up to \$11,600 to the units. Beginning January 1, 1983, and ending June 30, 1983, each unit shall receive 50% of its 1981 state allocation. In addition, the department may provide up to \$11,800 to the units in opera-~~

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tion on the effective date of this subsection [revisor inserts date].

SECTION 862ai. 46.85 (3m) (b) of the statutes is created to read:

46.85 (3m) (b) From the appropriation under s. 20.435 (4) (dh), the department shall allocate funds, based on the percentage of the state's population of low-income persons over age 60 who reside in each county or are members of an American Indian tribe, to counties and federally recognized tribal governing bodies to supplement any of the following:

1. Nonfederally funded senior companion and retired senior volunteer programs.
2. Federal projects providing home-delivered meals under 42 USC 3030f and 3030g.
3. Qualified public and nonprofit private agencies to supplement federally funded retired senior volunteer programs.

~~SECTION 862ap. 46.85 (4) of the statutes is amended to read:~~

Vetoed
in Part

~~46.85 (4) Low income older persons employed in a senior companion program shall be paid a stipend which compensates them for no more than 20 hours per week at an hourly rate not to exceed the federal minimum wage under s. 104.025 (2) (a), and in addition shall receive reimbursement for the cost of one meal per working day.~~

SECTION 862ar. 46.855 (1) of the statutes is amended to read:

46.855 (1) Provide training and technical assistance to the staff of county departments under ss. 46.215, 46.22 and 46.23, to the staff of administering agencies designated under s. 46.87 (3) (c) and to other providers of services to victims of persons with Alzheimer's disease, as defined under s. 46.87 (1) (a).

SECTION 862as. 46.855 (2) of the statutes is amended to read:

46.855 (2) Develop training materials for educating persons who provide services to victims of persons with Alzheimer's disease.

SECTION 862az. 46.87 (2) of the statutes is amended to read:

46.87 (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 persons with Alzheimer's disease and their caregivers.

SECTION 862b. 46.87 (3) (a) of the statutes is amended to read:

46.87 (3) (a) A county board may apply to initially participate in the program created under this section by submitting to the department a one-time 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.

SECTION 862c. 46.87 (5) (a) (intro.) of the statutes is amended to read:

46.87 (5) (a) (intro.) Provide or contract for the provision of services and goods or make payments for services to households that meet all of the following conditions:

SECTION 862e. 46.87 (5) (a) 3 of the statutes is repealed and recreated to read:

46.87 (5) (a) 3. The household meets financial eligibility requirements specified by the department by rule.

SECTION 862f. 46.87 (5) (b) of the statutes is amended to read:

46.87 (5) (b) Provide or contract for the provision of services and goods or make payments for services to victims of persons with 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 meet financial eligibility requirements specified by the department by rule.

SECTION 862h. 46.87 (5) (bm) of the statutes is created to read:

46.87 (5) (bm) Maintain a contract in effect on June 30, 1987, with a service provider under funds allocated under sub. (2).

SECTION 862i. 46.87 (5) (c) of the statutes is amended to read:

46.87 (5) (c) Contract with service providers to develop new programs to serve victims of Alzheimer's disease outside of the home of the victim or the victim's caregiver or expand services, under this section, as defined by the department by rule.

SECTION 862j. 46.87 (5) (e) of the statutes is created to read:

46.87 (5) (e) Provide outreach or other activities designed to develop public awareness of Alzheimer's disease.

SECTION 862L. 46.87 (6) (a) 1 of the statutes is amended to read:

46.87 (6) (a) 1. The services and goods needed by the household to enable it to maintain the victim of person with Alzheimer's disease as a member of the household, or the services or goods needed by a victim of person with Alzheimer's disease living in a residential facility, and the cost of each service or good that is needed.

SECTION 862p. 46.87 (6) (b) of the statutes is renumbered 46.87 (6) (b) 1 and amended to read:

46.87 (6) (b) 1. 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 any amount paid under subd. 2, except that

the amount paid or expended may not exceed \$4,000 in any ~~12-month period~~ calendar year for each victim of person with Alzheimer's disease in the household or for an individual person living in a residential facility.

SECTION 862r. 46.87 (6) (b) 2 of the statutes is created to read:

46.87 (6) (b) 2. An administering agency:

a. Shall require that the household or person with Alzheimer's disease pay, if able as determined under par. (a) 2, for services and goods provided under sub. (5) (a), (b) and (bm) unless the contract is determined to be a contract under sub. (5) (c).

b. May require that the household or person with Alzheimer's disease pay, if able as determined under par. (a) 2, for services and goods provided under sub. (5) (c).

SECTION 862u. 46.87 (7) of the statutes is created to read:

46.87 (7) The county board shall notify the department if any of the following occurs:

(a) The administering agency in the county is replaced by another.

(b) The county board intends to terminate participation in the program.

(c) The county's program and services related to Alzheimer's disease contain a substantial difference, as defined by rule, from the description of the county's program and services contained in the county board's letter of intent most recently submitted to the department under sub. (3) (a).

SECTION 862y. 46.87 (8) of the statutes is amended to read:

46.87 (8) The department shall collect and analyze information about ~~victims~~ of persons with Alzheimer's disease who are served under this section and about caregivers.

~~SECTION 862z. 46.91 of the statutes is created to read:~~

~~46.91 Sexual assault council. The sexual assault council shall advise the secretary regarding the expenditure of funds for the treatment of victims of sexual assault.~~

SECTION 863. 46.92 (1) of the statutes is amended to read:

46.92 (1) ASSISTANCE. From the appropriation under s. 20.435 (4) ~~(em), beginning on November 1, 1984~~ (5) (d), the department shall, subject to the availability of funds, provide assistance to ~~deaf and severely hearing-impaired~~ hearing-impaired persons to secure telecommunication devices capable of serving their needs. Except in extraordinary circumstances, the department shall purchase or provide funds for the purchase of telecommunication devices.

~~SECTION 863bm. 46.93 (2) (intro.) of the statutes is amended to read:~~

~~46.93 (2) PURPOSE, ALLOCATION. (Intro.) From the appropriation under s. 20.434 (1) (b), the board shall review and either approve for award or disapprove~~

~~grant applications from applying organizations to provide for adolescent pregnancy prevention programs or pregnancy services that include health care, education, counseling and vocational training. Of the funds awarded as grants, \$50,000 in fiscal year 1987-88 and \$50,000 in fiscal year 1988-89 shall be to an organization in a 1st class city that is operating, on the effective date of this subsection ... [revisor inserts date], a program that focuses on male responsibility for sexuality and uses adult males as role models for adolescent males participating in the program and \$50,000 in fiscal year 1987-88 and \$50,000 in fiscal year 1988-89 shall be to an organization in a 1st class city that is operating, on the effective date of this subsection ... [revisor inserts date], a program that is for young adolescent females from low-income families and their families and that uses adult female role models for young adolescent females participating in the program. Types of services and programs that are eligible for grants include all of the following:~~

Vetoed in Part

SECTION 863br. 46.93 (3m) of the statutes is created to read:

46.93 (3m) LIMITATIONS ON GRANT AWARD AND USE. The board in awarding grants under sub. (2) may not disapprove an application from an applying organization solely because the applying organization has a religious affiliation. The following activities are prohibited under any grant award under sub. (2):

(a) The singing of hymns or reading of prayers.

~~(b) The existence of religious symbols in the physical surroundings within which activities under the grant are conducted.~~

Vetoed in Part

(c) The existence of restrictions, based on religion or absence of religion, on persons applying for or receiving services under the grant.

(d) The supplying or promotion of written material that has a religious context.

~~(e) Any other activity having a religious purpose.~~

Vetoed in Part

SECTION 863e. 46.97 (2) (b) of the statutes is amended to read:

46.97 (2) (b) The ~~moneys appropriated~~ department shall allocate funds from the appropriation under s. 20.435 (4) (cc) ~~shall be allocated~~ for temporary shelter for homeless individuals and families as follows:

1. ~~No more than~~ At least \$300,000 in any each year to eligible applicants located in Milwaukee county.

2. ~~No more than~~ At least \$50,000 in any each year to eligible applicants located in Dane county.

3. ~~No more than~~ At least \$100,000 in any each year to ~~all other~~ eligible applicants not located in Milwaukee county or Dane county.

SECTION 863m. 46.97 (2) (b) 4 of the statutes is created to read:

46.97 (2) (b) 4. In addition to the amounts under subs. 1 to 3, no more than ~~\$150,000~~ in each year to eligible applicants without restriction as to the location of the applicants.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed
in Part

~~SECTION 863s. 46.975 of the statutes is created to read:~~

~~46.975 Transitional housing for homeless individuals and families. (1) In this section:~~

~~(a) "Eligible applicant" has the meaning under s. 46.97 (1) (b).~~

~~(b) "Transitional housing" means lodging for homeless individuals and families for up to 180 days.~~

~~(2) From the appropriation under s. 20.435 (4) (cc), the department shall allocate \$50,000 in each fiscal year for grants to eligible applicants for transitional housing to provide lodging for homeless individuals and families while they are seeking permanent housing.~~

SECTION 863x. 46.98 (3) (bm) of the statutes is created to read:

46.98 (3) (bm) Funds distributed under sub. (2) (a) 1 may not be used for the costs of administering the program under this section.

SECTION 863y. 46.98 (4) (c) of the statutes is amended to read:

46.98 (4) (c) If funds distributed under this section are insufficient to meet the needs of all eligible parents, a county ~~may give~~ shall:

1. Give first priority to parents who are eligible to receive aid under par. (a) 4.

SECTION 863z. 46.98 (4) (c) 2 of the statutes is created to read:

46.98 (4) (c) 2. Give 2nd priority to parents who are eligible to receive aid under par. (a) 2 or 3, who are under the age of 20, and who are in need of child care services in order to complete high school, courses at a vocational, technical and adult education school in lieu of high school or a course of study leading to the granting of a declaration of high school graduation under s. 115.29 (4).

SECTION 863zm. 46.983 of the statutes is created to read:

46.983 Day care employment pilot. From the appropriation under s. 20.435 (4) (df), the department shall fund contracts with municipalities or private nonprofit organizations to establish day care centers in counties in which the program under s. 49.50 (7j) operates. The department shall contract for the establishment of 2 day care centers under this section. The day care centers shall provide community work experience jobs under s. 49.50 (7j) (d) and shall seek to provide regular employment for recipients of aid to families with dependent children under s. 49.19.

SECTION 864. 46.985 (2) (a) 4 of the statutes is amended to read:

46.985 (2) (a) 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 ~~and~~

46.278; 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.

SECTION 865. 46.99 (5) (b) of the statutes is amended to read:

46.99 (5) (b) The county department specified under par. (a) shall pay the school board from its child day care allocation under ~~1985 Wisconsin Act 29, section 3023 (3) (f) s. 46.40 (4)~~ 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.

SECTION 866m. 46.995 of the statutes is created to read:

46.995 Adolescent self-sufficiency and pregnancy prevention. (1) DEFINITION. In this section, "high-risk adolescent" means a person who is at least 13 years of age but under the age of 20 and who is at risk of becoming an unmarried parent as an adolescent and of incurring long-term economic dependency on public funds and is characterized by one or more of the following:

- (a) Low self-esteem.
- (b) Alcohol or drug abuse.
- (c) Serious emotional family conflict.
- (d) Poverty, as a part of a family whose income is below the poverty line, as defined under 42 USC 9902 (2).
- (e) Low school achievement, as a pupil who is one or more years behind his or her pupil age group in the number of school credits attained or in basic school skill levels.
- (f) Other significant problems.

(2) ADOLESCENT SELF-SUFFICIENCY SERVICES. From the appropriation under s. 20.435 (4) (eg), the department may allocate \$582,100 in each of state fiscal years 1987-88 and 1988-89 to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide services in counties or to a tribe or band for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The public or private entity seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:

(a) Highest numbers of births to adolescent mothers.

(b) Highest rate, by county population of adolescents, of births to adolescents.

(c) Highest rate, by county population, of participation in the aid to families with dependent children program under s. 49.19.

(d) Highest percentage, by county population of births to unmarried adolescents, of births to adolescents.

(3) ADOLESCENT PREGNANCY PREVENTION SERVICES.

(a) *Services to targeted areas.* From the appropriation under s. 20.435 (4) (eg), the department may allocate \$340,000 in each of state fiscal years 1987-88 and 1988-89 to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide to high-risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision-making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this paragraph, based on the factors specified under sub. (2) (a) to (d).

(b) *Continuation and replication of adolescent pregnancy prevention services.* From the appropriation under s. 20.435 (4) (eg), the department may allocate \$160,000 in each of state fiscal years 1987-88 and 1988-89 to provide a grant annually to a public or private entity to provide partial continuation of adolescent pregnancy prevention services funded in state fiscal years 1985-86 and 1986-87 by federal social services block grant funds under 42 USC 1397 to 1397e. Services by a public or private entity awarded a grant under this paragraph shall include the provision of consultation and technical assistance to counties in which grants are not awarded.

(4) GRANT RENEWAL. If provisions of a grant made under sub. (2) or (3) (a) are met, the department may renew the grant up to 4 times before reassessing the grantee's eligibility for funding based on the rank by individual counties established under sub. (2) or (3) (a).

SECTION 867. 47.03 (10) (a) of the statutes is amended to read:

47.03 (10) (a) The department may, on the request of any deaf hearing-impaired person, regardless of the person's eligibility to receive services under this chapter city, village, town or county or private agency, provide funds from the appropriations under s. 20.435 (4) (5) (a) and ~~(jm) (hh)~~ to pay part or all of the fees charged by reimburse interpreters for the deaf. These payments may only be made if the department finds that the deaf person is financially needy and without

~~any other source of funds~~ hearing-impaired persons for the provision of interpreter services.

SECTION 868. 47.03 (10) (b) (intro.) of the statutes is amended to read:

47.03 (10) (b) (intro.) The department shall grant priority to requests to pay fees charged by interpreters for the following, in the following order:

SECTION 869. 47.03 (10) (b) 1 of the statutes is renumbered 47.03 (10) (b) 1m and amended to read:

47.03 (10) (b) 1m. Medical, mental health, alcohol and drug abuse, psychiatric, and psychological and other counseling services.

SECTION 870. 47.03 (10) (b) 1 of the statutes is created to read:

47.03 (10) (b) 1. Emergencies.

SECTION 871. 47.03 (10) (d) of the statutes is renumbered 47.03 (10) (f).

SECTION 872. 47.03 (10) (d) and (e) of the statutes are created to read:

47.03 (10) (d) The department may use as an interpreter for hearing-impaired persons only the following:

1. An interpreter for hearing-impaired persons who is certified by the national registry of interpreters for the deaf.

2. If an interpreter under subd. 1 is unavailable, an interpreter for hearing-impaired persons whose qualifications have been determined appropriate by the department.

(e) The department may bill any public or private agency at the rates established by the department for interpreter services for hearing-impaired persons commensurate with the certification or qualification level of the interpreter providing services if the department determines that the agency is required under state or federal law to provide interpreter services to a hearing-impaired person or if the agency agrees to pay for the services.

SECTION 872m. 47.10 of the statutes is created to read:

47.10 Services to injured Hispanic workers. (1) From the appropriation under section 20.435 (5) (bm) of the statutes, the department shall allocate \$52,400 in fiscal year 1987-88 and \$52,400 in fiscal year 1988-89 to contract with an organization to provide services to Hispanic workers who have been injured in industrial accidents, including all of the following:

(a) Group support and self-help activities.

(b) Counseling.

(c) Advocacy on behalf of injured workers for appropriate services.

(d) Interpreter services.

(e) Outreach.

(f) 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.

(2) The department shall award the contract under sub. (1) on the basis of competitive bids.

SECTION 880am. 48.02 (15m) of the statutes is created to read:

48.02 (15m) "Secured correctional facility" means a correctional institution operated by the department for holding in secure custody persons adjudged delinquent.

Vetoed in Part SECTION 880b. 48.08 (3) (a) of the statutes is repealed and recreated to read:

48.08 (3) (a) In addition to the law enforcement authority specified in sub. (2), the superintendent of a juvenile correctional institution and personnel designated by the superintendent of the juvenile correctional institution have the power of law enforcement authorities to take a child into physical custody if they are in prompt pursuit of a child who has run away from a secured correctional facility.

SECTION 880f. 48.17 (2) (f) of the statutes is created to read:

48.17 (2) (f) If the act the child committed resulted in personal injury or damage to or loss of the property of another, the municipal court shall, to the extent possible, provide each known victim of the act with the information contained in the notice required under s. 48.346.

SECTION 880g. 48.18 (title) of the statutes is amended to read:

48.18 (title) Jurisdiction for criminal proceedings for children 14 or older; waiver hearing.

SECTION 880h. 48.18 (1) of the statutes is amended to read:

48.18 (1) If a child is alleged to have violated s. 940.01 or 940.02 on or after his or her 14th birthday or if a child is alleged to have violated a any state criminal law on or after his or her 16th birthday, the child or district attorney may apply to the court to waive its jurisdiction under this chapter. The judge may initiate a petition for waiver if the judge disqualifies himself or herself from any future proceedings on the case.

SECTION 880i. 48.18 (9) of the statutes is created to read:

48.18 (9) If waiver is granted, sub. (1) does not restrict the authority of the district attorney to charge the offense he or she deems is appropriate and does not restrict the authority of any court or jury to convict the child in regard to any offense.

SECTION 880j. 48.23 (1) (am) of the statutes is created to read:

48.23 (1) (am) A child subject to a sanction under s. 48.355 (6) (d) shall be entitled to representation by counsel at the hearing under s. 48.355 (6) (c).

SECTION 880jc. 48.23 (2m) of the statutes is created to read:

48.23 (2m) **RIGHT TO COUNSEL; EXTENDED COURT JURISDICTION.** A person subject to s. 48.366 shall be represented by counsel at all proceedings under that section, except that the person may waive the right to

counsel if the court is satisfied that the waiver is knowingly and voluntarily made and the court accepts the waiver.

SECTION 880jm. 48.23 (4) of the statutes is amended to read:

48.23 (4) **PROVIDING COUNSEL.** In any situation under this section in which a child person has a right to be represented by counsel or is provided counsel at the discretion of the court, except for situations arising under sub. (2) where the child entitled to representation is a parent; and counsel is not knowingly and voluntarily waived; and it appears that the child person is unable to afford counsel in full, or the child person so indicates; the court shall refer the child person to the authority for indigency determinations specified under s. 977.07 (1). In any situation under sub. (2) in which a parent is entitled to representation by counsel; counsel is not knowingly and voluntarily waived; and it appears that the parent is unable to afford counsel in full, or the parent so indicates; the court shall refer the parent to the authority for indigency determinations specified under s. 977.07 (1). The court may appoint a guardian ad litem in any appropriate matter. In any other situation under this section in which a person has a right to be represented by counsel or guardian ad litem or is provided counsel or guardian ad litem at the discretion of the court, competent and independent counsel or guardian ad litem shall be provided and reimbursed in any manner suitable to the court regardless of the person's ability to pay.

SECTION 880jp. 48.237 (2) of the statutes is amended to read:

48.237 (2) The procedures for issuance and filing of a citation, and for forfeitures, stipulations and deposits ~~set forth~~ in ss. 23.50 to 23.67, 23.75 (3) and (4), 66.119, 778.25, 778.26 and 800.01 to 800.04 except s. 800.04 (2) (b), when the citation is issued by a law enforcement officer, shall be used as appropriate, except that this chapter shall govern taking and holding a child in custody, s. 48.37 shall govern costs ~~and~~ penalty assessments and jail assessments, and a capias shall be substituted for an arrest warrant. Sections 66.119 (3) (c), 66.12 (1) and 778.10 as they relate to collection of forfeitures do not apply.

SECTION 880jr. 48.243 (1) (b) of the statutes is amended to read:

48.243 (1) (b) The nature and possible consequences of the proceedings including the provisions of s. 48.17 ~~or~~, 48.18 and 48.366 if applicable;

SECTION 880k. 48.245 (10) of the statutes is repealed.

SECTION 880km. 48.275 (3) of the statutes is created to read:

48.275 (3) This section does not apply to the parents or guardian of a person who is subject to s. 48.366 with respect to the costs of the person's legal representation for a hearing under s. 48.366.

SECTION 880L. 48.299 (1) (am) of the statutes is created to read:

48.299 (1) (am) Subject to s. 906.15, if a public hearing is not held, in addition to persons permitted to attend under par. (a), victims of a child's alleged act shall have the right to attend a hearing under s. 48.31 and hearings by courts exercising jurisdiction under s. 48.17 (2), based upon the alleged act, except that a judge may exclude victims from any portion of the hearing which deals with sensitive personal matters of the child or the child's family and which do not directly relate to the alleged act committed against the victim. A member of the victim's family and, at the request of the victim, a representative of an organization providing support services to the victim, may attend the hearing under this subsection.

SECTION 880m. 48.299 (1) (b) of the statutes is amended to read:

48.299 (1) (b) Any person who divulges any information which would identify the child or the family involved in any proceeding under this chapter shall be subject to ch. 785. This paragraph does not preclude a victim of the child's act from commencing ~~an action~~ under s. 895.035 a civil action based upon the child's act.

SECTION 880n. 48.32 (6) of the statutes is repealed.

SECTION 880o. 48.33 (1) (e) of the statutes is created to read:

48.33 (1) (e) A plan for the provision of educational services to the child, prepared after consultation with the staff of the school in which the child is enrolled or the last school in which the child was enrolled.

SECTION 880p. 48.34 (5) of the statutes is renumbered 48.34 (5) (a) and amended to read:

48.34 (5) (a) If the child is found to have committed a delinquent act which has resulted in damage to the property of another, or actual physical injury to another excluding pain and suffering, the judge may order the child to repair damage to property or to make reasonable restitution for the damage or injury if the judge, after taking into consideration the well-being and needs of the victim, considers it beneficial to the well-being and behavior of the child. Any such order shall include a finding that the child alone is financially able to pay and ~~shall may~~ allow up to ~~40~~ 12 months for the payment. Objection by the child to the amount of damages claimed shall entitle the child to a hearing on the question of damages before the amount of restitution is ordered.

SECTION 880q. 48.34 (5) (b) of the statutes is created to read:

48.34 (5) (b) 1. Subject to subd. 2, in addition to any other employment or duties permitted under ch. 103 or any rule or order under ch. 103, a child who is 12 or 13 years of age who is participating in a restitution project provided by the county may, for the purpose of making restitution ordered by the court under this subsection, be employed or perform any duties under

any circumstances in which a child 14 or 15 years of age is permitted to be employed or perform duties under ch. 103 or any rule or order under ch. 103.

2. Under this subsection, a court may not order a child who is 12 or 13 years of age to make more than \$250 in restitution.

SECTION 880r. 48.34 (9) (c) of the statutes is created to read:

48.34 (9) (c) 1. Subject to subd. 2, in addition to any other employment or duties permitted under ch. 103 or any rule or order under ch. 103, a child who is 12 or 13 years of age who is participating in a community service project provided by the county may, for purposes of performing community service work ordered by the court under this subsection, be employed or perform any duties under any circumstances in which a child 14 or 15 years of age is permitted to be employed or perform duties under ch. 103 or any rule or order under ch. 103.

2. Under this subsection, a court may not order a child who is 12 or 13 years of age to perform more than 40 total hours of community service work.

SECTION 880s. 48.343 (4) of the statutes is amended to read:

48.343 (4) If the violation has resulted in damage to the property of another, or actual physical injury to another excluding pain and suffering, the court may order the child to make repairs of the damage to property or reasonable restitution for the damage or injury if the court, after taking into consideration the well-being and needs of the victim, considers it beneficial to the well-being and behavior of the child. Any such order requiring payment for repairs or restitution shall include a finding that the child alone is financially able to pay and ~~shall may~~ allow up to ~~40~~ 12 months for the payment. Objection by the child to the amount of damages claimed shall entitle the child to a hearing on the question of damages before the amount of restitution is ordered.

SECTION 880t. 48.346 of the statutes is repealed and recreated to read:

48.346 Notice to victims of children's acts. (1) Each known victim of a child's act shall receive timely notice of the following information:

(a) The procedure for obtaining the identity of the child and the child's parents.

(b) The procedure under s. 48.396 (5) for obtaining the child's police records.

(c) The potential liability of the child's parents under s. 895.035.

(d) Either:

1. General information regarding any informal agreement under s. 48.245, any consent decree under s. 48.32 or any dispositional order under ss. 48.34 to 48.345. The information shall not include specific details of the order except for details relating to restitution or repair to property; or

2. The procedure the victim may follow for obtaining the information in subd. 1.

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(2) The notice under sub. (1) shall include an explanation of the restrictions on divulging information obtained under this chapter and the penalties for violations.

(3) If an inquiry or proceeding is closed, dismissed or otherwise does not result in an informal agreement, consent decree or dispositional order, a reasonable attempt shall be made to inform each known victim of the child's alleged act that the inquiry or proceeding has been terminated.

(4) If the victim is a child, the notice under this section shall be given to the child's parents, guardian or legal custodian.

Vetoed
in Part

(5) ~~County boards, chief judges and circuit judges, acting in accordance with s. 48.06 (1) and (2), shall establish, by policy and rule procedures for the implementation of this section. The policies and rules shall specify when, how and by whom the notice under this section shall be provided to victims.~~

SECTION 880u. 48.355 (1) of the statutes is amended to read:

48.355 (1) INTENT. In any order under s. 48.34 or 48.345 the judge shall decide on a placement and treatment finding based on evidence submitted to the judge. The disposition shall employ those means necessary to maintain and protect the child's well-being which are the least restrictive of the rights of the parent or child and which assure the care, treatment or rehabilitation of the child and the family, consistent with the protection of the public interest. Wherever possible the family unit shall be preserved and there shall be a policy of transferring custody from the parent only where there is no less drastic alternative. If information under s. 48.331 has been provided in a court report under s. 48.33, the court shall consider that information when deciding on a placement and treatment finding.

Vetoed
in Part

SECTION 880v. 48.355 (2) (b) 7 of the statutes is created to read:

48.355 (2) (b) 7. A statement of the conditions with which the child is required to comply.

SECTION 880w. 48.355 (4) of the statutes is renumbered 48.355 (4) (a) and amended to read:

48.355 (4) (a) All Except as provided under par. (b), all orders under this section shall terminate at the end of one year unless the judge specifies a shorter period of time. Extensions or revisions shall terminate at the end of one year unless the judge specifies a shorter period of time. No extension under s. 48.365 of an original dispositional order may be granted for a child whose legal custody has been transferred to the department under s. 48.34 (4m) if the child is 18 years of age or older when the original dispositional order terminates. Any order made before the child reaches the age of majority shall be effective for a time up to one year after its entry unless the judge specifies a shorter period of time.

SECTION 880x. 48.355 (4) (b) of the statutes is created to read:

48.355 (4) (b) An order under s. 48.34 (4m) for which a child has been adjudicated delinquent ~~on the basis of an act prohibited under s. 940.01 or 940.02~~ is subject to par. (a), except that the judge may make the order apply for up to 2 years or until the child's 19th birthdate, whichever is earlier.

Vetoed
in Part

SECTION 880y. 48.355 (6) of the statutes is created to read:

48.355 (6) SANCTIONS FOR VIOLATION OF ORDER. (a) If a child who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7, the court may impose on the child one of the sanctions specified in par. (d) if, at the dispositional hearing under s. 48.335, the judge explained the conditions to the child, ~~provided the child with a written copy of the conditions~~ and informed the child of the possible sanctions under par. (d) for a violation.

Vetoed
in Part

(b) A motion for imposition of a sanction may be brought by the person or agency primarily responsible for the provision of dispositional services, the district attorney or the judge who entered the dispositional order. If the judge initiates the motion, that judge is disqualified from holding a hearing on the motion. Notice of the motion shall be given to the child, guardian ad litem, counsel, parent, guardian, legal custodian and all parties present at the original dispositional hearing.

(c) Before imposing any sanction, the court shall hold a hearing, at which the child is entitled to be represented by legal counsel and to present evidence.

(d) The court may order any one of the following sanctions if it determines that the violation is willful and egregious, that the sanction will serve as a deterrent to future rule violations and that the sanction will contribute to the child's rehabilitation:

Vetoed
in Part

1. ~~If no other sanction is appropriate,~~ placement of the child in a secure detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule, for not more than 48 hours. If the child is enrolled in a school that is in session during any day of the placement, the court shall order either that the child be released to attend school or that the child receive educational services consistent with his or her current course of study during the period of placement.

Vetoed
in Part

Vetoed
in Part

2. Suspension of or limitation on the use of the child's operating privilege, as defined under s. 340.01 (40), or of any approval issued under ch. 29 for a period of not more than 90 days. If the court suspends the child's operating privileges or an approval issued under ch. 29, it shall immediately take possession of the suspended license or approval and forward it to the department that issued it, together with the notice of suspension.

3. Detention in the child's home or current residence for a period of not more than 20 days under rules of supervision specified in the order.

4. Not more than 25 hours of uncompensated community service work in a supervised work program authorized under s. 48.34 (9).

Vetoed in Part (e) The court may stay the imposition of a sanction for a specific period of time in order to give the child a reasonable opportunity to comply with the dispositional order and thereby avoid the sanction. If the court enters a stay, a hearing shall be scheduled which complies with the procedural requirements of pars. (b) and (c). The sole issue at this hearing shall be the child's compliance with the dispositional order, unless a party offers new evidence regarding whether the sanction is in the best interests of the child.

SECTION 893. 48.357 (4m) of the statutes is created to read:

48.357 (4m) The department shall try to release a child on aftercare under sub. (4) within 30 days after the date the department determines the child is eligible for the release.

SECTION 893c. 48.366 of the statutes is created to read:

Vetoed in Part **48.366 Extended court jurisdiction.** (1) **APPLICABILITY.** A person is subject to a petition under sub. (2) only if the person at the age of 14 or 15 years, committed any crime specified under s. 940.01, 940.02, 940.05, 940.201, 940.21 or 940.225 (1) (a) to (c), is adjudged delinquent on that basis and is transferred to the legal custody of the subunit of the department administering corrections under s. 48.34 (4m), and at the time the petition under sub. (2) is filed, the person is either placed in a secured juvenile correctional facility or is on aftercare supervision.

Vetoed in Part (2) **PETITION FOR EXTENSION.** (a) The department or the county department having legal custody of a person described in sub. (1) may file a petition requesting an extension of the court's jurisdiction over the person. The petition shall be filed with the court that adjudged the person delinquent on the basis specified in sub. (1). The petition shall state the factual basis for believing that if the person is released from custody or supervision, there are reasonable grounds to believe that the person will pose a threat of bodily harm to other persons.

(b) A petition under par. (a) shall be filed no sooner than 6 months before and no later than 3 months before the expiration of a dispositional order under s. 48.365 which expires after the person's 18th birthday.

(c) The department or the county department that filed the petition shall, at the time the petition is filed, provide written notice of the petition to the person who is the subject of the petition, the office of the district attorney that filed the petition on the basis of which the person was adjudged delinquent and the victim, if any, of the delinquent act. The notice to the person who is the subject of the petition shall also con-

tain notice that the person has a right to counsel under s. 48.23 (2m).

(3) **NOTICE.** Upon receipt of a petition under sub. (2), the court shall set a date under sub. (7) for a hearing on the matter. The hearing shall be held before the expiration date of the person's dispositional order. The court shall provide notice under sub. (7).

(4) **HEARING ON EXTENSION OF JURISDICTION ORDER.** If, at the hearing on the petition, the department or the county department proves that there are reasonable grounds to believe that the person will pose a threat of bodily harm to other persons if the person is released, the court shall enter an order extending its jurisdiction as follows:

(a) If the act for which the person was adjudged delinquent was a violation of s. 940.01, the order shall remain in effect until the person reaches 25 years of age or until the termination of the order under sub. (6), whichever occurs earlier.

(b) If the act for which the person was adjudged delinquent was any other violation specified in sub. (1), the order shall remain in effect until the person reaches 21 years of age or until the termination of the order under sub. (6), whichever occurs earlier.

(5) **REVISION OF ORDER.** (a) Any of the following may petition the court for a revision of an order under sub. (4):

- 1. The person subject to the order.
- 2. The department or county department having legal custody of the person.

(b) The department or county department may, at any time, file a petition proposing either release of a person subject to an order under sub. (4) to aftercare supervision or revocation of the person's aftercare supervision. The petition shall set forth in detail:

- 1. The proposed treatment and supervision plan and proposed institutional placement, if any.
- 2. Any available information that is relevant to the advisability of revising the order.

(c) The person subject to an order under sub. (4) may, no more often than once each year, file a petition proposing his or her release to aftercare supervision. The petition shall set forth in detail:

- 1. The proposed conditions of aftercare supervision.
- 2. Any available information that is relevant to the advisability of revising the order.

(d) 1. At the time the department or county department files a petition under par. (a), it shall provide written notice of the petition to the person who is the subject of the petition. The notice to the person who is the subject of the petition shall state that the person has a right to request a hearing on the petition and, if the petition is for revocation of a person's aftercare supervision, that the person has the right to counsel. The department shall also provide written notice of the petition to the office of the district attorney that filed the petition on the basis of which the child was

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adjudged delinquent and the victim, if any, of the delinquent act.

Vetoed
in Part

2. At the time a person subject to an order under ~~sub. (4)~~ files a petition under par. (a), the person shall provide written notice of the petition to the department or county department, as applicable.

(e) In making a determination under this subsection, the court shall balance the needs of the person with the protection of the public.

(f) If the court grants a petition to release a person to aftercare supervision and the person's county of residence is one in which the county department provides aftercare supervision, the department may contract with the county department under s. 46.036 for aftercare supervision of the person.

(g) Sections 48.357 and 48.363 do not apply to orders under this subsection.

Vetoed
in Part

(6) PETITION FOR DISCHARGE; HEARINGS. (a) Any of the following may petition the court that entered an order under ~~sub. (4)~~ to terminate the order and to discharge the person subject to the order from supervision:

1. The person subject to the order.
2. The department or the county department having a legal custody of the person.

(b) The petition shall state the factual basis for the petitioner's belief that discharge will not pose a threat of bodily harm to other persons. The department or county department may file a petition at any time. The person subject to the order may file a petition not more often than once a year.

(c) 1. At the time the department or county department files a petition under par. (a), it shall provide written notice of the petition to the person who is the subject of the petition. The notice to the person who is the subject of the petition shall state that the person has the right to counsel. The department or county department shall also provide written notice of the petition to the office of the district attorney that filed the petition on the basis of which the person was adjudged delinquent and to the victim, if any, of the delinquent act.

Vetoed
in Part

2. At the time a person subject to an order under ~~sub. (4)~~ files a petition under par. (a), he or she shall provide written notice of the petition to the department or county department, whichever has legal custody of the person.

Vetoed
in Part

(d) ~~The court shall terminate the order under sub. (4) and discharge the person unless the court finds, based on evidence presented at the hearing, that there are reasonable grounds to believe that discharging the person will pose a threat of bodily harm to other persons.~~ If the court denies the petition, the person shall remain under the jurisdiction of the court until the expiration of the order under ~~sub. (4)~~ or until a subsequent petition for discharge under this subsection is granted, whichever is sooner.

Vetoed
in Part

2. At the time a person subject to an order under ~~sub. (4)~~ files a petition under par. (a), he or she shall provide written notice of the petition to the department or county department, whichever has legal custody of the person.

(7) NOTICE OF HEARING. Upon receipt of a request for a hearing under sub. (5) or upon receipt of a petition under sub. ~~(3)~~ or (6), the court shall set a date for a hearing on the matter. In any of those cases, the court shall notify the department and each person specified in sub. ~~(2)~~ (s). (5) (d) 1 or (6) (c) 1, as applicable, of the date, time and place of the hearing. ~~The notice shall be served personally at least 72 hours before the hearing or mailed by certified mail at least 7 days before the hearing to each person entitled to notice, except that if any such person lives outside of this state, the notice shall be mailed at least 14 days before the hearing.~~

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(8) TRANSFER TO OR BETWEEN FACILITIES. The department may transfer a person subject to an order under ~~sub. (4)~~ between secured correctional facilities and, after the person attains the age of 18 years, transfer the person to or between state prisons named in s. 53.01 without petitioning for revision of the order under sub. (5) (a). ~~The department shall promulgate rules establishing a hearing procedure for persons transferred from a less secure to a more secure state prison.~~

Vetoed
in Part

Vetoed
in Part

SECTION 893m. 48.37 of the statutes is amended to read:

48.37 Costs. No costs or, penalty assessments or jail assessments may be assessed against any child in a court assigned to exercise jurisdiction under this chapter. Courts of civil and criminal jurisdiction exercising jurisdiction under s. 48.17 may assess the same costs and, penalty assessment assessments and jail assessments against children as they may assess against adults, except that witness fees shall not be charged to the child.

SECTION 900am. 48.396 (1) of the statutes is amended to read:

48.396 (1) Peace officers' records of children shall be kept separate from records of persons 18 or older and shall not be open to inspection or their contents disclosed except under sub. (5) or s. 48.293, by order of the court assigned to exercise jurisdiction under this chapter or by order of the circuit court under sub. (5). This subsection shall not apply to the representatives of newspapers or other reporters of news who wish to obtain information for the purpose of reporting news without revealing the identity of the child involved or to the confidential exchange of information between the police and officials of the school attended by the child or other law enforcement or social welfare agencies or to children 16 or older who are transferred to the criminal courts.

SECTION 900b. 48.396 (5) (a) of the statutes is repealed and recreated to read:

48.396 (5) (a) Any victim of a child's act may petition the court to order the disclosure of the records governed by sub. (1). The petition shall be in writing and shall describe as specifically as possible all of the following:

1. The type of information sought.
2. The reason the information is being sought.
3. The basis for the petitioner's belief that the information is contained in the records.
4. The relevance of the information sought to the petitioner's reason for seeking the information.
5. The petitioner's efforts to obtain the information from other sources.

SECTION 900c. 48.396 (5) (b) of the statutes is repealed.

SECTION 900d. 48.396 (5) (c) of the statutes is renumbered 48.396 (5) (b) and amended to read:

48.396 (5) (b) The ~~circuit~~ court shall notify the child, the child's counsel ~~and~~, the child's parents ~~and appropriate law enforcement agencies~~ in writing of the petition. If any person notified objects to the disclosure, the court may hold a hearing to take evidence relating to the petitioner's need for the disclosure.

SECTION 900e. 48.396 (5) (d) of the statutes is renumbered 48.396 (5) (c) and, 48.396 (5) (c) (intro.), as renumbered, is amended to read:

48.396 (5) (c) (intro.) The ~~circuit~~ court shall make an inspection, which may be in camera, of the child's records. If the court determines that the information sought is essential to the petitioner's for good cause and that it cannot be obtained with reasonable effort from other sources, it shall then determine whether the petitioner's need for the information outweighs society's interest in protecting its confidentiality. In making this determination, the court shall balance the following private and societal interests:

SECTION 900f. 48.396 (5) (e) of the statutes is renumbered 48.396 (5) (d) and amended to read:

48.396 (5) (d) If the ~~circuit~~ court determines that disclosure is warranted, it shall order the disclosure of only as much information as is necessary to ~~permit the petitioner to prosecute the civil action~~ meet the petitioner's need for the information.

SECTION 900g. 48.396 (5) (f) of the statutes is renumbered 48.396 (5) (e) and amended to read:

48.396 (5) (e) The ~~circuit~~ court shall record the reasons for its decision to disclose or not to disclose the child's records. All records related to a decision under this subsection are confidential.

SECTION 900h. 48.396 (6) of the statutes is created to read:

48.396 (6) Notwithstanding sub. (5), a victim of a child's act or alleged act may, with the approval of the court, obtain the names of the child and the child's parents.

SECTION 900j. 48.44 of the statutes is renumbered 48.44 (1).

SECTION 900k. 48.44 (2) of the statutes is created to read:

48.44 (2) The court has jurisdiction over a person subject to an order under s. 48.366 for all matters relating to that order.

SECTION 900L. 48.53 of the statutes is amended to read:

48.53 Duration of control over delinquents. All Except as provided under s. 48.366, all children adjudged delinquent, whose legal custody has been transferred to the department, shall be discharged as soon as the department determines that there is a reasonable probability that it is no longer necessary either for the rehabilitation and treatment of the child or for the protection of the public that the department retain legal custody.

SECTION 914m. 48.545 of the statutes is created to read:

48.545 Adoption services program for children with special needs. (1) The department shall develop a plan in which the adoption services that it provides to children with special needs under its care would be contracted out to private agencies in one specified geographic area of the state. The department shall choose the specified geographic area of the state in which the plan shall be implemented. The department shall continue to provide adoption services to the children with special needs under its care in the specified geographic area if the private agencies with whom the department has contracted are unwilling or unable to place the children.

(2) The department shall submit the plan developed under sub. (1) to the joint committee on finance for review by January 1, 1988.

(3) The plan developed under sub. (1) shall be implemented as a pilot program to begin in fiscal year 1988-89. The pilot program shall be evaluated at the end of its first 2 years.

SECTION 923. 48.627 (title) of the statutes is amended to read:

48.627 (title) Foster parent insurance and liability.

SECTION 923e. 48.627 (1c) of the statutes is created to read:

48.627 (1c) The department shall determine the cost-effectiveness of purchasing private insurance which would provide coverage to foster parents for acts or omissions by or affecting a foster child. If this private insurance is cost-effective and available, the department shall purchase the insurance from the appropriations under s. 20.435 (4) (cf) and (pd). If the insurance is unavailable, payment of claims for acts or omissions by or affecting a foster child shall be in accordance with subs. (1m) to (2).

SECTION 923m. 48.627 (1m) of the statutes is repealed and recreated to read:

48.627 (1m) Within the limits of the appropriations under s. 20.435 (4) (cf) and (pd), the department shall pay claims to the extent not covered by any other insurance and subject to the limitations specified in sub. (2), for bodily injury or property damage sustained by a licensed 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.

SECTION 923s. 48.627 (1s) of the statutes is created to read:

48.627 (1s) Within the limits of the appropriations under s. 20.435 (4) (cf) and (pd), the department may pay claims to the extent not covered by any other insurance and subject to the limitations specified in sub. (2), for all of the following:

(a) Acts or omissions of the foster parent that result in bodily injury to the foster child or that form the basis for a civil action for damages by the foster child's parent against the foster parent.

(b) Bodily injury or property damage caused by an act or omission of a foster child in the foster parent's care for which the foster parent becomes legally liable.

SECTION 925. 48.627 (2) (b) of the statutes is amended to read:

48.627 (2) (b) A claim under sub. (1m) (b) shall be submitted to the department within 90 days after the bodily injury or property damage occurs, ~~but no later than June 30, 1987, or the date of publication of the 1987-89 biennial budget act, whichever is later.~~ A claim under sub. ~~(1m) (a) or (c) (1s)~~ shall be submitted within 90 days after a foster parent learns that a legal action has been commenced against him or her, ~~but no later than June 30, 1987, or the date of publication of the 1987-89 biennial budget act, whichever is later.~~ No claim may be paid under this subsection unless it is submitted within the time limits specified in this paragraph.

SECTION 925m. 48.627 (2) (d) of the statutes is amended to read:

48.627 (2) (d) No claim may be approved in an amount exceeding the total amount available for paying claims under this subsection in the fiscal year during which the claim is submitted. No claim for property damage sustained by a foster parent or a member of a foster parent's family may be approved in an amount exceeding ~~\$5,000~~ \$25,000.

SECTION 926. 48.627 (2) (f) of the statutes is amended to read:

48.627 (2) (f) If the total amount of the claims approved during any calendar quarter exceeds 25% of the total funds available during the fiscal year for purposes of this subsection plus any unencumbered funds remaining from the previous quarter, the department shall prorate the available funds among the claimants with approved claims. The department shall also prorate any unencumbered funds remaining in the appropriation under s. 20.435 (4) (cf) at the end of each fiscal year among the claimants whose claims were prorated during the fiscal year. Payment of a prorated amount constitutes a complete payment of the claim.

SECTION 927. 48.627 (2) (h) of the statutes is amended to read:

48.627 (2) (h) If a claim by a foster parent or a member of the foster parent's family is approved, the department shall deduct from the amount approved

~~\$200~~ \$100 less any amount deducted by an insurance company from a payment for the same claim.

SECTION 928. 48.627 (2) (j) of the statutes is repealed.

SECTION 928m. 48.627 (3) of the statutes is amended to read:

48.627 (3) The department is not liable for any act or omission by or affecting a foster child, but ~~may~~ shall, as provided in this section, pay claims described under sub. (1m) and may pay claims described under sub. ~~(1m) (1s)~~ or may purchase insurance to cover such claims as provided for under sub. (1c), within the limits of the appropriations under s. 20.435 (4) (cf) and (pd).

SECTION 941e. 48.981 (1) (fm) of the statutes is created to read:

48.981 (1) (fm) "Relative" means a parent, grandparent, stepparent, brother, sister, first cousin, 2nd cousin, nephew, niece, uncle, aunt, stepgrandparent, stepbrother, stepsister, half brother, half sister, brother-in-law or sister-in-law.

SECTION 941m. 48.981 (2) of the statutes is amended to read:

48.981 (2) 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 county department 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 abuse or neglect and that abuse or neglect of the child will occur shall, except as provided under sub. (2m), 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 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 941s. 48.981 (2m) of the statutes is created to read:

48.981 (2m) EXCEPTION TO REPORTING REQUIREMENT. (a) The purpose of this subsection is to allow children to obtain confidential health care services ~~and report services.~~ **Vetoed in Part**

(b) In this subsection:

1. "Health care provider" means a physician, as defined under s. 448.01 (5), a physician's assistant, as defined under s. 448.01 (6), or a nurse holding a certificate of registration under s. 441.06 (1) or a license under s. 441.10 (3).

Vetoed in Part 2. "Health care service" means family planning services, pregnancy testing, reproductive and obstetrical health care or screening, diagnosis and treatment for a sexually transmitted disease.

Vetoed in Part 3. "Pupil service" means counseling, psychological services, social work or nursing.

4. "Pupil services provider" means a person who is certified by the department of public instruction to provide pupil services and who is employed by or acting under contract with a school board, board of control of a cooperative educational services agency or the governing body of a private school.

(c) Except as provided under pars. (d) and (e), the following persons are not required to report as suspected or threatened abuse, as defined under sub. (1) (a) 2, sexual intercourse or sexual contact involving a child:

1. A health care provider who provides any health care service to a child.

Vetoed in Part 2. A pupil services provider who provides any pupil service to a child.

3. A person who refers a child to a health care provider for any health care service or to a pupil services provider for any pupil service.

Vetoed in Part 4. A person who obtains information about a child who is receiving or has received health care services from a health care provider or pupil services from a pupil services provider.

Vetoed in Part (d) Any person described under par. (c) 1, 2, 3 or 4 shall report as required under sub. (2) if he or she has reason to suspect any of the following:

1. That the sexual intercourse or sexual contact occurred or is likely to occur with any of the following:

- a. A relative of the child.
- b. The child's guardian.
- c. The child's legal custodian.
- d. An employe of a residential facility or child caring institution in which the child was or is placed.
- e. A person who provides or has provided care for the child in or outside of the child's home.
- f. A person who resides or has resided regularly or intermittently in the same dwelling with the child.
- g. Any other person who exercises or has exercised temporary or permanent control over or who temporarily or permanently supervises or has supervised the child.

2. That the child suffered or suffers from a mental illness or mental deficiency that rendered or renders the child temporarily or permanently incapable of understanding or evaluating the consequences of his or her actions.

3. That the child, because of his or her age or immaturity, was or is incapable of understanding the nature or consequences of sexual intercourse or sexual contact.

4. That the child was unconscious at the time of the act or for any other reason was physically unable to communicate unwillingness to engage in sexual intercourse or sexual contact.

5. That another participant in the sexual contact or sexual intercourse was or is exploiting the child.

(e) In addition to the reporting requirements under par. (d), a person described under par. (c) 1, 2, 3 or 4 shall report as required under sub. (2) if he or she has any reasonable doubt as to the voluntariness of the child's participation in the sexual contact or sexual intercourse. **Vetoed in Part**

SECTION 942. 48.982 (2) (a) of the statutes is amended to read:

48.982 (2) (a) ~~One year after July 2, 1983, and biennially thereafter~~ Biennially, develop and transmit to the governor and the presiding officer of each house of the legislature a plan for awarding grants to organizations. The plan shall assure that there is an equal opportunity for establishment of child abuse and neglect prevention programs and distribution of grants throughout all geographic areas of the state and in both urban and rural communities.

SECTION 943. 48.985 of the statutes is created to read:

48.985 Expenditure of federal child welfare funds.

(1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s. 20.435 (4) (n), the department shall expend moneys received under 42 USC 620 to 626 as follows:

(a) For the department's expenses in connection with administering the expenditure of funds received under 42 USC 620 to 626, not more than \$221,600 in federal fiscal year 1988 and not more than \$221,600 in federal fiscal year 1989.

(b) For runaway services, not more than \$458,600 in federal fiscal year 1988 and not more than \$458,600 in federal fiscal year 1989.

(c) For innovative child welfare projects and services provided or purchased by the department, including training for foster parents and for employes of county departments conducting investigations and providing services under s. 48.981, not more than \$133,800 in federal fiscal year 1988 and not more than \$65,600 in federal fiscal year 1989.

(d) In addition to the amounts allocated under par. (c), for innovative child welfare projects purchased or provided by the department, not more than \$51,200 in federal fiscal year 1988 and not more than \$119,400 in federal fiscal year 1989 from 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.

(e) For family-based child welfare services, including services to prevent and treat child abuse and neglect, and for contracting with counties and American Indian tribes for family-based child welfare services, the balance of any unanticipated additional funds specified under par. (d) that are received by the department.

(2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the appropriation under s. 20.435 (4) (o), the department shall expend moneys received under 42 USC 620 to 626 as follows:

(a) For the delivery of services to American Indians under s. 46.70, not more than \$70,000 in federal fiscal year 1988 and not more than \$70,000 in federal fiscal year 1989.

(b) To county departments under ss. 46.215, 46.22 and 46.23, for the provision or purchase of child welfare projects and services including child abuse and neglect investigation and treatment services, subject only to local, state and federal requirements specific to the types of projects or services, not more than \$1,858,000 in federal fiscal year 1988 and not more than \$1,858,000 in federal fiscal year 1989.

(c) For the allocation for services to children and families under s. 46.40 (2), not more than \$567,300 in federal fiscal year 1988 and not more than \$567,300 in federal fiscal year 1989.

(3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under s. 20.435 (4) (oo), to county departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s. 46.26, not more than \$1,100,000 in federal fiscal year 1988 and not more than \$1,100,000 in federal fiscal year 1989.

SECTION 947m. 48.992 (3) of the statutes is created to read:

48.992 (3) Notwithstanding s. 48.991 (3) (b), "delinquent juvenile" does not include a person subject to an order under s. 48.366.

SECTION 948. 49.015 (1) of the statutes is renumbered 49.015 (1) (a) and amended to read:

49.015 (1) (a) In this section subsection, "close relative" means the person's parent, grandparent, brother, sister, spouse or child.

SECTION 949g. 49.015 (2) (intro.) and (a) to (d) of the statutes are renumbered 49.015 (1) (b) (intro.) and 1 to 4.

SECTION 949r. 49.015 (2) (e) of the statutes is repealed.

SECTION 950. 49.015 (2) of the statutes is created to read:

Vetoed in Part 49.015 (2) (a) ~~Except in a case of unusual hardship,~~ a person is not eligible for general relief under this chapter for a month in which the person has received aid to families with dependent children under s. 49.19 or supplemental security income under 42 USC 1381 to 1383c or in which aid to families with dependent children or supplemental security income benefits are immediately available to the person.

(b) No person is eligible for general relief under this chapter for a month in which the person is denied, or his or her needs are removed from a grant of, food stamps or aid to families with dependent children under 7 USC 2015 (d) (1), 42 USC 602 (a) (19) (F), 42 USC 607 (b) (2) (C), 42 USC 609 (c) or 42 USC 645 (b) 1 (B) because the person has failed to comply with requirements related to employment or training. A general relief agency may not deny general relief under this subsection to any person other than the person who has failed to comply with those requirements. If the adult caretaker of a child is denied general relief under this subsection and the case involves mismanagement, the general relief agency shall make the general relief payment for the child in the form of a protective payment.

SECTION 951m. 49.015 (3) of the statutes is repealed.

SECTION 952. 49.015 (4) of the statutes is renumbered 49.015 (1) (d) and amended to read:

49.015 (1) (d) After December 31, 1986, a general relief agency may waive the requirement under ~~sub-~~ (2) par. (b) in a medical emergency or in case of unusual misfortune or hardship. Each waiver shall be reported to the department. The department may deny reimbursement under s. 49.035 for any case in which a waiver is inappropriately granted.

SECTION 952g. 49.02 (10) of the statutes is renumbered 49.02 (10) (a) and amended to read:

49.02 (10) (a) ~~A~~ Except as provided under par. (b), a county 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 care for which a medical assistance rate exists.

(c) 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 county.

SECTION 952k. 49.02 (10) (b) of the statutes is created to read:

49.02 (10) (b) 1. The department shall establish maximum rates for inpatient and outpatient hospital care furnished as general relief, including emergency care provided under sub. (5), equal to the interim rates payable under s. 49.45 (3) (e) in effect on December 31, 1986, adjusted annually to reflect any general inflationary rate increase provided for hospitals under medical assistance.

2. A county shall limit its liability for inpatient and outpatient hospital care furnished as general relief to the rates established under subd. 1.

SECTION 952m. 49.02 (11) of the statutes is created to read:

49.02 (11) A general relief agency may use vehicle registration information from the department of transportation in determining eligibility for general relief.

Vetoed
in Part

~~SECTION 952o. 49.032 (1) (c) of the statutes is repealed and recreated to read:~~

~~49.032 (1) (c) After December 31, 1986, each general relief agency shall determine need and make a benefit payment at least monthly.~~

~~SECTION 952r. 49.032 (1) (d) of the statutes is repealed.~~

~~SECTION 952s. 49.032 (4r) of the statutes is repealed.~~

~~SECTION 952v. 49.033 of the statutes is created to read:~~

~~**49.033 Expedited general relief.** (1) The general relief agency shall provide expedited assistance under the general relief program to an applicant if all of the following conditions exist:~~

~~(a) The application shows that the applicant is eligible for general relief.~~

~~(b) The applicant has less than \$30 in available liquid assets at the time of application.~~

~~(c) In the month of application the applicant's monthly gross income is less than \$150 or less than one-half of the county's general relief payment standard for a family the size of the applicant's family, whichever is greater.~~

~~(d) The applicant is either threatened with loss of housing as evidenced by receipt of a notice terminating tenancy under s. 704.17 or 704.19, the applicant is homeless or the applicant is living in a shelter facility as defined under s. 26.97 (1) (d).~~

~~(2) The general relief agency shall verify the applicant's identity through readily available documentary evidence or through contacts with other persons prior to the provision of expedited assistance. All other conditions of eligibility may be verified as soon as possible through readily available documentary evidence or through contacts with other persons, but expedited assistance may not be delayed due to the failure to complete that verification.~~

~~(3) The general relief agency shall provide the amount of assistance sufficient to meet the applicant's needs for 15 working days from the date of application, taking into account only the assets available to the applicant on the date of application. The assistance may be provided in the form of vouchers.~~

~~(4) Expedited assistance shall be mailed or available for pick-up at the general relief agency's office no later than the close of business on the 5th day following the day the application is filed.~~

~~SECTION 953g. 49.035 (1) (c) of the statutes is amended to read:~~

~~49.035 (1) (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 beginning on January 1, 1987, and ending on June 30, 1987.~~

~~SECTION 953m. 49.035 (1) (d) of the statutes is created to read:~~

49.035 (1) (d) A county for up to 37.5% of the eligible costs paid by the general relief agency for general relief provided under s. 49.02 after June 30, 1987.

SECTION 954g. 49.035 (2) (b) 5 of the statutes is amended to read:

49.035 (2) (b) 5. Up to 50% of eligible medical costs incurred by the county after ~~December 31, 1986~~ beginning on January 1, 1987, and ending on June 30, 1987, on behalf of an individual client that are not more than \$10,000 per claim period.

SECTION 955g. 49.035 (2) (b) 6 of the statutes is amended to read:

49.035 (2) (b) 6. Up to 80% of eligible medical costs incurred by the county after ~~December 31, 1986~~ beginning on January 1, 1987, and ending on June 30, 1987, on behalf of an individual client that exceed \$10,000 per claim period.

SECTION 955m. 49.035 (2) (b) 7 of the statutes is created to read:

49.035 (2) (b) 7. Up to 40% of eligible medical costs incurred by the county after June 30, 1987, on behalf of an individual client that are not more than \$10,000 per claim period.

SECTION 955r. 49.035 (2) (b) 8 of the statutes is created to read:

49.035 (2) (b) 8. Up to 70% of eligible medical costs incurred by the county after June 30, 1987, on behalf of an individual client that exceed \$10,000 per claim period.

SECTION 956. 49.037 (4) of the statutes is amended to read:

49.037 (4) The general relief agency 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 an eligible dependent person under s. 49.032.~~

SECTION 957g. 49.046 (3) (a) 1 of the statutes is repealed and recreated to read:

49.046 (3) (a) 1. From the appropriation under s. 20.435 (4) (e), the department shall pay aid to eligible

persons based on family size. The department shall designate 2 areas of the state based on variations in shelter cost. Except as provided under subd. 1m, monthly payments shall be as follows:

- a. Family of one, \$216 in area I and \$209 in area II.
- b. Family of 2, \$381 in area I and \$369 in area II.
- c. Family of 3, \$448 in area I and \$434 in area II.
- d. Family of 4, \$535 in area I and \$519 in area II.
- e. Family of 5, \$614 in area I and \$597 in area II.
- f. Family of 6, \$664 in area I and \$644 in area II.
- g. Family of 7, \$719 in area I and \$698 in area II.
- h. Family of 8, \$761 in area I and \$741 in area II.
- i. Family of 9, \$798 in area I and \$774 in area II.
- j. Family of 10, \$817 in area I and \$792 in area II.
- k. For each additional member in the family over 10, \$17 shall be added to the amount under subd. 1. j.

SECTION 957r. 49.046 (3) (a) 1m of the statutes is created to read:

49.046 (3) (a) 1m. The administering agency shall reduce the monthly benefit payment under subd. 1 by the value of other benefits provided to the family by the tribe and pay the amount of that reduction directly to the elected tribal governing body.

SECTION 958. 49.047 (title) and (1) of the statutes are amended to read:

49.047 (title) Relief of needy Indian persons; work experience program. (1) The purpose of the work experience program is to provide a useful work experience, and when possible, work training opportunities which may lead to gainful employment for the persons receiving relief under s. 49.046. The work experience program may include a grant diversion program under s. 49.048.

SECTION 959. 49.047 (7) of the statutes is created to read:

49.047 (7) An agency administering relief of needy Indian persons under s. 49.046 may use work experience program funds to obtain tools and equipment for use in the program if the agency receives approval from the department.

SECTION 960. 49.048 of the statutes is created to read:

49.048 Relief of needy Indian persons; grant diversion. (1) In this section:

(a) "Agency" means an agency administering relief of needy Indian persons under s. 49.046 (4).

(b) "Operator" means an agency, if the agency administers a grant diversion program under this section directly, or the person operating a grant diversion program under a contract with an agency.

(2) An agency may administer, directly or by contract, a grant diversion program. Under the program, the agency may use all or part of the grant provided under s. 49.046 to subsidize, for a period not to exceed 6 months, up to 50% of the wages an employer pays a recipient for a job performed by the recipient under a

written contract between the operator and the employer.

(3) A recipient working in a grant diversion program shall be paid by the hour, 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 under 29 USC 206 (a) (1).

(4) An employer shall repay the agency the total amount of wage subsidy received for employing a recipient if the employer fails to retain the recipient for 3 months following termination of the wage subsidy, unless cause exists for the employer to dismiss the recipient.

(5) A grant diversion contract between an operator and an employer may not contravene a collective bargaining agreement entered into by the employer.

(6) A grant diversion program may not be operated so as to supplant an unsubsidized employe.

(7) The agency may not find a recipient ineligible for relief of needy Indian persons benefits under s. 49.046 on the basis of income earned in a grant diversion program.

(8) A recipient participating in a grant diversion project shall comply with grant diversion rules promulgated under sub. (9). If the recipient violates grant diversion rules the agency may suspend relief of needy Indian persons benefits to the recipient as follows:

(a) For a first violation, for a period not to exceed 30 days.

(b) For a 2nd or subsequent violation, for a period not to exceed 60 days.

(9) The department shall promulgate rules for the grant diversion program.

SECTION 961. 49.049 of the statutes is created to read:

49.049 Tribal economic development projects. (1) Elected governing bodies of American Indian tribes may submit proposals for economic development projects to the department.

(2) The department, after consulting with the department of development, shall establish criteria for evaluating proposals submitted under sub. (1).

(3) The department may provide not more than \$34,300 in fiscal year 1987-88 and not more than \$30,600 in fiscal year 1988-89 for economic development projects which satisfy the criteria established under sub. (2) to tribal governing bodies from funds appropriated for the administration of the work experience program under s. 49.047. Funds not provided for economic development projects shall be expended for the work experience program.

~~SECTION 961g. 49.05 (2) of the statutes is amended to read:~~ **Vetoed in Part**

Vetoed
in Part

~~49.05 (2) The basis of total payment, including any amount of the payment which constitutes state reimbursement under s. 49.035 (1), of an individual granted work relief shall be 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) under s. 104.025 (2) (a).~~

~~SECTION 961r. 49.033 (2) (b) of the statutes is amended to read:~~

~~49.033 (2) (b) The federal minimum hourly wage prescribed by 29 USC 206 (a) (1) under s. 104.025 (2) (a).~~

Vetoed
in Part

~~SECTION 961u. 49.057 of the statutes is created to read:~~

~~**49.057 Guaranteed jobs program participation.** (1) Except as provided under sub. (2), a person who graduates from a high school participating in the program under s. 46.33 at the time of the person's graduation and who receives general relief from the county in which the high school is located within 5 years after high school graduation shall participate in the program under s. 46.33. Participation in the program under s. 46.33 satisfies any requirement for participation in a work relief program under s. 49.05.~~

~~(2) The department shall provide by rule for exceptions to the requirement under sub. (1) for individuals who are disabled, working or attending college, a vocational, technical and adult education school or other educational program with a vocational objective or who lack transportation or for whom travel time to and from a training or job location would be excessive.~~

SECTION 962. 49.12 (1) of the statutes is amended to read:

49.12 (1) Any person who, with intent to secure public assistance under this chapter, whether for himself or for some other person, wilfully makes any false representations may, if the value of such assistance so secured does not exceed \$100, be fined not more than \$250 or imprisoned not more than 6 months or both, if the value of such assistance exceeds \$100 but does not exceed \$500, be fined not more than \$500 or imprisoned not more than one year or both, if the value of such assistance exceeds \$500, be fined not more than \$500 or imprisoned not more than 5 years or both, and if the value of such assistance exceeds \$2,500, be punished as prescribed under s. 943.20 (3) (c).

SECTION 963. 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 963m. 49.124 of the statutes is created to read:

49.124 Food stamp employment and training program. The department shall administer an employment and training program for recipients of food stamp benefits under 7 USC 2011 to 2029.

SECTION 964. 49.125 of the statutes is renumbered 49.125 (1).

SECTION 965. 49.125 (2) of the statutes is created to read:

49.125 (2) A county or governing body of a federally recognized American Indian tribe may retain 15% of the amount of an overpayment the state is authorized to retain under 7 USC 2025 which is recovered under sub. (1) due to the efforts of an employe or officer of the county or tribe. This subsection does not apply to recovery of an overpayment that was made as a result of state, county or tribal governing body error.

SECTION 966. 49.127 of the statutes is created to read:

49.127 Food stamp offenses. (1) In this section:

(a) "Eligible person" means a member of a household certified as eligible for the food stamp program or a person authorized to represent a certified household under 7 USC 2020 (e) (7).

(b) "Food" means items which may be purchased using food coupons under 7 USC 2012 (g) and 2016 (b).

(c) "Food stamp program" means the federal food stamp program under 7 USC 2011 to 2029.

(d) "Supplier" means a retail grocery store or other person authorized by the federal department of agriculture to accept food coupons in exchange for food under the food stamp program.

(e) "Unauthorized person" means a person who is not one of the following:

1. An employe or officer of the federal government, the state, a county or a federally recognized American Indian tribe acting in the course of official duties in connection with the food stamp program.

2. A person acting in the course of duties under a contract with the federal government, the state, a county or a federally recognized American Indian tribe in connection with the food stamp program.

3. An eligible person.

4. A supplier.

5. A person authorized to redeem food coupons under 7 USC 2019.

(2) No person may misstate or conceal facts in a food stamp program application with intent to secure food coupons.

(3) No person may knowingly issue food coupons to a person who is not an eligible person or knowingly issue food coupons to an eligible person in excess of the amount for which the person's household is eligible.

(4) No eligible person may knowingly transfer food coupons except to purchase food from a supplier or knowingly obtain or use food coupons for which the person's household is not eligible.

(5) No supplier may knowingly obtain food coupons except as payment for food or knowingly obtain

food coupons from a person who is not an eligible person.

(6) No unauthorized person may knowingly obtain, possess, transfer or use food coupons.

(7) No person may knowingly alter food coupons.

(8) (a) For a first offense under this section:

1. If the value of the food coupons does not exceed \$100, a person who violates this section may be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both.

2. If the value of the food coupons exceeds \$100, a person who violates this section may be fined not more than \$10,000 or imprisoned not more than 5 years or both.

(b) For a 2nd or subsequent offense under this section:

1. If the value of the food coupons does not exceed \$100, a person who violates this section may be fined not more than \$1,000 or imprisoned not more than one year in the county jail or both.

2. If the value of the food coupons exceeds \$100, a person who violates this section may be fined not more than \$10,000 or imprisoned not more than 5 years or both.

(d) In addition to the penalties applicable under par. (a) or (b), the court may suspend a person who violates this section from participation in the food stamp program up to 18 months. The person may apply to the county department under s. 46.215, 46.22 or 46.23 or the federally recognized American Indian tribal governing body or, if the person is a supplier, to the federal department of agriculture for reinstatement following the period of suspension.

SECTION 967. 49.133 of the statutes is created to read:

49.133 Periodic records matches. (1) The department shall conduct a program to periodically verify the eligibility of recipients of aid to families with dependent children under s. 49.19 through a check of school enrollment records of local school boards as provided in s. 118.125 (2) (i).

(2) The department shall conduct a program to periodically match records of recipients of medical assistance under s. 49.46 or 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029 with the records of recipients under those programs in other states. If an agreement with the other states can be obtained, matches with records of states contiguous to this state shall be conducted at least annually.

(3) The department shall conduct a program to periodically match the address records of recipients of medical assistance under s. 49.46 or 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029 to verify residency and to identify recipients receiving duplicate or fraudulent payments.

(5) The department shall conduct a program to periodically match the records of persons confined in state correctional facilities with the records of recipients of medical assistance under s. 49.46 or 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029 to identify recipients who may be ineligible for benefits.

SECTION 969. 49.175 (4) of the statutes is amended to read:

49.175 (4) The cost of care of such patients shall be determined by multiplying the per day patient rate for such facility as determined by applying the formula under s. 49.45 (6m) ~~(a)~~ (ag), except that interest on capital expenditures which are reimbursable under s. 51.91 shall be excluded, times the number of days of care of such patients in the time period being considered. Any amounts received by the facility from the patient or resident shall be deducted from the costs determined under this subsection. This section shall not be construed to require that as a condition of reimbursement any facility must meet any skilled or intermediate care standards established by the department.

SECTION 970. 49.177 (3s) of the statutes is repealed and recreated to read:

49.177 (3s) INCREASED SUPPLEMENTAL PAYMENT IN CERTAIN CASES. (a) The department shall authorize the payment of an increased state supplement to a person receiving payments under this section who resides in a residential setting if the person needs at least 40 hours per month of supportive home care, daily living skills training or community support services.

(b) If a person receiving payments under this section resides with a spouse or is a minor child residing with a parent, only services needed when the spouse or parent is away from the residence for purposes of employment count toward the 40-hour requirement in par. (a).

(c) The department shall establish a uniform assessment process for determining eligibility under this subsection.

(d) The amount payable under this subsection equals the amount of the state supplement under sub. (2) (a) paid to persons living in nonmedical group homes.

SECTION 971m. 49.19 (2) (am) of the statutes is created to read:

49.19 (2) (am) A county department under s. 46.215, 46.22 or 46.23 may not accept a rent receipt to verify the residence of an applicant for or recipient of aid under this section unless the receipt shows the name, address and home and business telephone numbers of the landlord or the landlord's designee.

SECTION 972. 49.19 (4) (ds) of the statutes is repealed.

SECTION 973d. 49.19 (5) (a) 4. (intro.) of the statutes is amended to read:

49.19 (5) (a) 4. (intro.) ~~After~~ Except as provided under par. (am), after disregarding the amounts specified under subds. 2 and 3, \$30 of earned income 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. These disregards do not apply to:

SECTION 973h. 49.19 (5) (a) 4m. (intro.) of the statutes is amended to read:

49.19 (5) (a) 4m. (intro.) ~~After~~ Except as provided under par. (am), 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:

SECTION 973p. 49.19 (5) (a) 5 of the statutes is amended to read:

49.19 (5) (a) 5. The disregards specified in subds. 2 to 4m and par. (am) do not apply to the earned income of any person who violates 45 CFR 233.20 (a) (1) (iii).

SECTION 973t. 49.19 (5) (am) of the statutes is created to read:

49.19 (5) (am) 1. Instead of the disregards under par. (a) 4 and 4m, after disregarding the amounts specified under par. (a) 2 and 3, \$30 of earned income and an amount equal to one-sixth of the remaining earned income not disregarded shall be disregarded from the earned income of a person specified in par. (a) 2. These disregards do not apply to:

a. The earned income of a person who has received the disregards for 12 consecutive months, until the person ceases to receive aid for 12 consecutive months.

b. Earned income derived from a training or retraining project.

c. 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.

2. The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of the earned income disregards in subd. 1. Subdivision 1 does not apply unless a federal waiver is in effect. If a waiver is received, the department shall implement subd. 1 no later than the first day of the 6th month beginning after the waiver is approved.

SECTION 973v. 49.19 (5) (cm) of the statutes is created to read:

49.19 (5) (cm) 1. In this paragraph, "2-party payment" means a check which is drawn in favor of a recipient of aid under this section and the recipient's landlord, jointly.

2. A 2-party payment shall be made whenever a recipient of aid under this section has failed to pay rent to the landlord for 2 months or more, unless the failure to pay rent is authorized by law.

3. If a landlord reports to a county department under s. 46.215, 46.22 or 46.23 that a recipient has failed to pay rent for 2 or more months, the county department shall do all of the following:

a. Inform the recipient of the report.

b. Investigate the report.

c. If it determines that the conditions for issuing a 2-party payment under subd. 2 are met, inform the recipient of the right to a fair hearing on the issue of whether 2-party payment of rent should be made and inform the department of health and social services of its determination.

d. If it determines that 2-party payments should not be made, inform the recipient and the landlord of that determination.

4. When it has been determined that a 2-party payment of rent should be made, the department of health and social services shall issue the recipient's monthly grant in 2 checks, a 2-party payment for the amount of the rent and a check drawn in favor of the recipient for the balance of the grant amount.

5. The county department shall review each case in which a 2-party payment is being made at least once every 12 months and whenever a recipient reports that a condition under subd. 6 for the cessation of 2-party payments exists.

6. The county department shall inform the department of health and social services, and the department of health and social services shall cease making a 2-party payment, when the county department determines that any of the following conditions exists:

a. A 2-party payment has been made for 24 consecutive months.

b. The recipient has reimbursed the landlord for all back rent owed.

c. The recipient has moved and has a different landlord.

7. The department shall promulgate rules for the administration of this paragraph.

SECTION 974. 49.19 (5) (e) of the statutes is amended to read:

49.19 (5) (e) No aid may continue longer than 6 months without reinvestigation, except that the department may provide that in certain cases or groups of cases aid may continue up to 12 months without reinvestigation. The county department under s. 46.215, 46.22 or 46.23 may conduct a reinvestigation of a case whenever there is reason to believe circumstances have changed. The county department ~~under s. 46.215, 46.22 or 46.23 shall submit information concerning reinvestigations, at such times and in such form as the department requires, detailing the number of redeterminations completed, the number overdue and the length of time they are overdue. The department shall recertify a 10% random sample of all recipients in person every 6 months.~~

SECTION 977m. 49.19 (11) (a) 1. a of the statutes is 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% ~~84.04%~~ of the total of the allowances under subds. 2 and 4 plus the following standards of assistance for the period from ~~September 1, 1985~~ the first day of the first month beginning at least 20 days after the effective date of this subd. 1. a [revisor inserts date], to ~~March 31, 1987. June 30, 1989:~~ [See Figure 49.19 (11) (a) 1. a. following]

Vetoed
in Part

Figure: 49.19 (11) (a) 1. a.:

FAMILY SIZE	AREA I		AREA II	
1	\$ 308 \$ 311	\$ 298 \$ 301		
2	545 550	528 533		
3	641 647	620 626		
4	764 772	742 749		
5	877 886	852 861		
6	949 958	920 929		
7	1,027 1,037	997 1,007		
8	1,088 1,099	1,057 1,068		
9	1,140 1,151	1,106 1,117		
10	1,167 1,179	1,132 1,143		

SECTION 978m. 49.19 (11) (a) 1. b of the statutes is repealed.

Vetoed
in Part

~~SECTION 979. 49.19 (11) (a) 1. bm of the statutes is created to read:~~

~~49.19 (11) (a) 1. bm. The department shall request a waiver from the secretary of the federal department of health and human services to permit variable benefit schedules.~~

SECTION 979g. 49.19 (11) (a) 2 of the statutes is amended to read:

49.19 (11) (a) 2. A monthly allowance of \$25 per person for each additional member in the family above 10 shall be added to the standard of assistance specified under subd. 1. a ~~or b.~~

SECTION 979r. 49.19 (11) (a) 4 of the statutes is amended to read:

49.19 (11) (a) 4. In accordance with s. 49.19 (4) (g), a monthly allowance of \$71 for each person in the family who qualifies for a payment under s. 49.19 (4) (g) shall be added to the standard of assistance specified under subd. 1. a ~~or b.~~

SECTION 981. 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, natural disaster or energy emergency crisis. 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 crisis, shall not exceed \$150 per family member.

~~49.195 (2m) If the department recovers an overpayment of aid to families with dependent children that was caused by fraud by withholding funds from the grant, it shall withhold 10% of the grant each month unless a court orders a different amount withheld. If the department recovers an overpayment of aid to families with dependent children with any other cause, it shall withhold not more than 7% of the grant each month.~~

Vetoed
in Part

SECTION 982. 49.195 (4) of the statutes is amended to read:

49.195 (4) Any county or governing body of a federally recognized American Indian tribe may retain 15% of state aid distributed under s. 49.19 that is recovered due to the efforts of a county an employe or officer of the county or tribe. This subsection applies only does not apply to recovery of aid that was provided as a result of fraudulent activity by a recipient state, county or tribal governing body error.

SECTION 983. 49.195 (5) of the statutes is amended 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 984. 49.197 (title) of the statutes is amended to read:

49.197 (title) Fraud investigation and reduction and error reduction.

Vetoed
in Part

~~SECTION 981m. 49.195 (3m) of the statutes is created to read:~~

SECTION 985. 49.197 (1) of the statutes is renumbered 49.197 (1m) and amended to read:

49.197 (1m) (title) FRAUD INVESTIGATION. From the appropriations under s. 20.435 (4) (L), ~~(Lm)~~, and ~~(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 to 49.47, aid to families with dependent children under s. 49.19 and the food stamp program administered under s. ~~46.215 (1) (k) or 46.22 (1) (b) 5 7 USC 2011 to 2029~~. 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) provision of funds to county departments under s. 46.215, 46.22 and 46.23 to encourage activities to detect fraud.~~

SECTION 986. 49.197 (1) of the statutes is created to read:

49.197 (1) ALLOCATION OF RECOVERED OVERPAYMENTS. The department shall allocate the funds in s. 20.435 (4) (L) as follows:

(a) To fraud investigation under sub. (1m), all of the following:

1. Amounts recovered as a result of a determination by a court or administrative hearing official that a person intentionally misstated or concealed facts or intentionally violated a law related to the medical assistance program under s. 49.43 to 49.47, aid to families with dependent children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029.

2. Amounts recovered as a result of an agreement between a person and a district attorney, county department under s. 46.215, 46.22 or 46.23 or governing body of a federally recognized American Indian tribe in which the person states, for the purpose of that agreement, that he or she intentionally misstated or concealed facts or intentionally violated a law related to the medical assistance program under s. 49.43 to 49.47, aid to families with dependent children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029.

(b) The funds which are not allocated under par. (a):

1. To state error reduction activities under sub. (3), 50%

2. To county and tribal governing body error reduction under sub. (4), 50%

SECTION 987. 49.197 (2) of the statutes is repealed.

SECTION 988. 49.197 (3) of the statutes is created to read:

49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in medical assistance under ss. 49.43 to 49.47, aid to families with dependent children under s. 49.19

and the food stamp program under 7 USC 2011 to 2029.

SECTION 989. 49.197 (4) of the statutes is created to read:

49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide funds from the appropriation under s. 20.435 (4) (L) and federal matching funds from the appropriation under s. 20.435 (4) (n) to counties and governing bodies of federally recognized American Indian tribes administering medical assistance under ss. 49.43 to 49.47, aid to families with dependent children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 to offset administrative costs of reducing payment errors in those programs.

SECTION 989e. 49.41 (title) of the statutes is amended to read:

49.41 (title) Assistance grants exempt from levy; exception.

SECTION 989g. 49.41 of the statutes is renumbered 49.41 (1) and amended to read:

49.41 (1) All Except as provided in sub. (2), all grants of aid to families with dependent children, payments made for social services, and benefits under s. 49.177 or federal Title XVI, are exempt from every tax, and from execution, garnishment, attachment and every other process and shall be inalienable.

SECTION 989i. 49.41 (2) of the statutes is created to read:

49.41 (2) Grants of aid to families with dependent children may be garnisheed as provided under s. 812.233.

SECTION 989m. 49.43 (3m) of the statutes is created to read:

49.43 (3m) "Developmentally disabled" has the meaning specified in s. 51.01 (5).

SECTION 989mm. 49.43 (6m) of the statutes is created to read:

49.43 (6m) "Institution for mental diseases" has the meaning specified in 42 CFR 435.1009.

~~SECTION 989p. 49.43 (9m) of the statutes is created to read:~~

~~49.43 (9m) "Poverty line" means the poverty line as defined and revised annually under 42 USC 9902 (2).~~

SECTION 989r. 49.45 (2) (a) 1 of the statutes is amended to read:

49.45 (2) (a) 1. Exercise responsibility relating to fiscal matters, the eligibility for benefits under standards set forth in ss. 49.46 ~~and~~ to 49.47 and general supervision of the medical assistance program;

SECTION 990. 49.45 (2) (a) 18 of the statutes is amended to read:

49.45 (2) (a) 18. Conduct outreach for the early and periodic screening, diagnosis and treatment program as required under 42 CFR 441. This activity is limited to persons under ~~18~~ 21 years of age who ~~are receiving or whose families are receiving cash payments under s.~~

Vetoed
in Part

49.19 have been determined to be eligible for medical assistance.

SECTION 991. 49.45 (2) (a) 19 of the statutes is repealed.

Vetoed in Part SECTION 991m. 49.45 (3) (a) 20 of the statutes is created to read:

~~49.45 (2) (a) 20. Declare a facility determined under par. (b) 6 to be an institution for mental diseases ineligible for reimbursement under s. 49.46 or 49.47 for services specified under s. 49.46 (2) (dm) or 49.47 (6) (s) 4.~~

SECTION 992. 49.45 (2) (b) 1 of the statutes is repealed and recreated to read:

49.45 (2) (b) 1. Direct a county department under s. 46.215, 46.22 or 46.23 to perform other functions, responsibilities and services, including any functions related to health maintenance organizations, limited service health organizations and preferred provider plans.

Vetoed in Part SECTION 992m. 49.45 (2) (b) 6 of the statutes is created to read:

~~49.45 (2) (b) 6. Conduct or contract for services to provide surveys of skilled nursing facilities and intermediate care facilities in this state that provide care to medical assistance recipients for which the facilities receive reimbursement under sub. (6m) to determine whether any facility is an institution for mental diseases.~~

SECTION 993. 49.45 (3) (am) of the statutes is created to read:

49.45 (3) (am) 1. From the appropriation under s. 20.435 (1) (bm), the department shall make incentive payments to counties to encourage counties to identify medical assistance applicants and recipients who have other health care coverage and the providers of the health care coverage and give that information to the department.

2. The department shall promulgate rules governing the distribution of payments under this paragraph.

SECTION 993b. 49.45 (3) (e) 1 and 2 of the statutes are amended to read:

49.45 (3) (e) 1. The department may develop, implement and periodically update methods for reimbursing or paying hospitals for allowable services, ~~care~~ or commodities provided a recipient. The methods may include standards and criteria for limiting any given hospital's total reimbursement or payment to that which would be provided to an economically and efficiently operated facility.

2. A hospital whose reimbursement or payment is determined on the basis of the methods developed and implemented under subd. 1 shall annually prepare a report of cost and other data in the manner prescribed by the department.

SECTION 993e. 49.45 (3) (e) 3 of the statutes is created to read:

49.45 (3) (e) 3. The department may adopt a prospective payment system under subd. 1 which may include consideration of an average rate per diem, diagnosis-related groups or a hospital-specific prospective rate per discharge.

SECTION 993h. 49.45 (3) (e) 4 to 10 of the statutes are amended to read:

49.45 (3) (e) 4. ~~Total~~ If the department maintains a retrospective reimbursement system under subd. 1 for specific provided services or commodities, total reimbursement for an entire hospital for allowable services, care or commodities provided recipients during the hospital's fiscal year may not exceed the lower of the hospital's charges for the services or the actual and reasonable allowable costs to the hospital of providing the services.

7. The daily reimbursement or payment rate to a hospital for services provided to medical assistance recipients awaiting admission to a skilled nursing home, intermediate care facility, community-based residential facility, group home, foster home or other custodial living arrangement may not exceed the maximum reimbursement or payment rate based on the average adjusted state skilled nursing facility rate, created under sub. (6m). This limited reimbursement or payment rate to a hospital commences on the date the department, through its own data or information provided by hospitals, determines that continued hospitalization is no longer medically necessary or appropriate during a period where the recipient awaits placement in an alternate custodial living arrangement. The department may contract with a professional standards review organization, established under 42 USC 1320c to 1320c-22, to determine that continued hospitalization of a recipient is no longer necessary and that admission to an alternate custodial living arrangement is more appropriate for the continued care of the recipient. In addition, the department may contract with a professional standards review organization to determine the medical necessity or appropriateness of physician services or other services provided during the period when a hospital patient awaits placement in an alternate custodial living arrangement.

8. Reimbursement or payment for outpatient hospital services may not exceed reimbursement or payment for comparable services performed by providers not owned or operated by hospitals.

9. Hospital education and research costs that the department finds to be indirectly related to patient care are not allowable costs in establishing a hospital's reimbursement or payment rate under subd. 1.

10. Hospital procedures on an inpatient basis that could be performed on an outpatient basis shall be reimbursed or paid at the outpatient rate. The department shall determine which procedures this subdivision covers.

SECTION 993m. 49.45 (3) (e) 11 of the statutes is repealed.

SECTION 994m. 49.45 (6g) of the statutes is created to read:

49.45 (6g) CARE FOR PERSONS IN INSTITUTIONS FOR MENTAL DISEASES. (a) Notwithstanding sub. (6m) (ag), if during the period beginning on July 1, 1987 and ending on June 30, 1989, the federal health care financing administration or the department finds a skilled nursing facility or intermediate care facility in this state that provides care to medical assistance recipients for which the facility receives reimbursement under sub. (6m) to be an institution for mental diseases, as defined under 42 CFR 435.1009, the department shall transfer or credit funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (4) (b) for distribution to a county department under s. 51.42 until June 30, 1989, under this section at 60% of the daily medical assistance reimbursement rate under sub. (6m) of the facility, for the care of any person residing in the facility on the date of the finding whose care in the facility has been disallowed for federal financial participation.

(b) The county department under s. 51.42 to which funding shall be provided under par. (a) is one of the following:

1. The county department in the county of residence of the person whose care in the facility has been disallowed for federal financial participation.

2. If the department is unable to determine the county of residence under subd. 1, the county department of the county in which is located the facility of which the person is a resident on the date of the finding by the federal health care financing administration or the department.

(c) The board under s. 51.42 (5) or, in a county with a county administrator or a county executive, the director under s. 51.42 (6m) shall use funds provided under this section for one of the following purposes:

1. To contribute to the cost of the person's continued care in a skilled nursing facility or intermediate care facility.

2. To contribute to the cost of the alternative services for the person if the criteria under s. 46.266 (1) (a) to (e) are met.

(d) If a person who is provided services under par. (c) 2 discontinues service provision, an individual may receive services in place of the person who discontinues if that individual is aged 22 to 64, has a diagnosis of mental illness and would meet the level of care requirements for medical assistance reimbursement in a skilled nursing facility or intermediate care facility but for a finding that the facility is an institution for mental diseases, except that the total number of persons receiving services under par. (c) 2 may not exceed the number of nursing home beds closed under this section.

(e) Notwithstanding par. (c) 2, the department is not required to decrease the statewide nursing home

bed limit under s. 150.31 to account for nursing home beds closed under this section and, notwithstanding subch. II of ch. 150, may not redistribute the nursing home beds made available by the provision of services under this section unless all of the following conditions are met:

1. Funding is appropriated by the legislature for the purpose of redistributing beds made available by the provision of services under this section.

2. The department promulgates rules establishing a method by which the beds under subd. 1 will be redistributed.

3. The joint committee on finance reviews and approves release of the funds appropriated under subd. 1.

SECTION 994p. 49.45 (6h) of the statutes is created to read:

49.45 (6h) LIABILITY FOR DISALLOWANCES. If the department under sub. (2)(b) or the federal health care financing administration finds a skilled nursing facility or intermediate care facility in this state that provides care to medical assistance recipients for which the facility receives reimbursement under sub. (6m) to be an institution for mental diseases, the facility shall be liable for any retroactive federal medicaid disallowances for services provided after the date of the finding.

SECTION 994r. 49.45 (6i) of the statutes is created to read:

49.45 (6i) CARE FOR PERSONS IN CERTAIN HOSPITALS. (a) In this subsection, "state share" means that portion of the medical assistance costs reimbursable to a hospital for the provision of authorized service that is not reimbursed by federal funds, unless no federal financial participation is available for these services. If no federal financial participation is available for a service which is payable under this subsection, "state share" means that portion of the costs which would be the state share if federal financial participation were available.

(b) If during the period beginning on July 1, 1987 and ending on October 31, 1987, the federal health care financing administration or the department finds a hospital in this state that provides care to medical assistance recipients for which the facility receives reimbursement from the appropriations under s. 20.435 (1) (b) and (c) to be an institution for mental diseases, as defined under 42 CFR 435.1009, the department shall continue payment from the appropriation under s. 20.435 (1) (b) under this section at the current state share of the daily medical assistance reimbursement rate of the hospital, for care provided before November 1, 1987, to any person aged 22 to 64 residing in the hospital whose care in the hospital has been disallowed for federal financial participation because the hospital is found to be an institution for mental diseases.

SECTION 995. 49.45 (6m) of the statutes is repealed and recreated to read:

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

49.45 (6m) PAYMENT TO FACILITIES. (a) In this subsection:

1. "Active treatment" has the meaning specified in 42 CFR 435.1009.

2. "Cost center" means a group of similar facility expenses.

3. "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.

4. "Net property tax" means property tax from which the Wisconsin state property tax credit has been deducted.

(ag) Payment for care provided in a facility under this subsection made under s. 20.435 (1) (b), (o) or (p) shall, except as provided in pars. (bg), (bm) and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall 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 (a) (13) (A), 1396a (a) (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:

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 1987-88, rates that shall be set by the department based on information from cost reports for the 1986 fiscal year of the facility.

4. For state fiscal year 1988-89, rates that shall be based on information from cost reports for the 1987 fiscal year of the facility or upon information from cost reports, adjusted by a percentage rate for inflation determined by the department, for the 1986 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 and criteria and limitations as 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 1986-87 of no more than 2% during state fiscal year 1987-88 and over that paid for services provided in state fiscal year 1987-88 of no more than 2% during state fiscal year 1988-89, excluding increases in total payments attributable to increases in recipient utilization of nursing home care.

(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.

(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 rate year 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.

cm. Funding distributed to facilities for the provision of active treatment to residents who are developmentally disabled shall be distributed in accordance with a method developed by the department which is consistent with a prudent buyer approach to payment for services.

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 ser-

vice 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.

(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 up to 50%.

c. Add the figure resulting under subd. 4. b to the figure calculated under subd. 3.

d. The facility's rate shall be set at the lesser of the figure calculated under subd. 4. c or the figure calculated under subd. 2.

5. If the facility's payment rate under subd. 1 is less than a 2% increase over its average payment rate for the previous year under subd. 2, if the figure calcu-

lated 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 2% 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.

5m. The rate under subd. 1, 4 or 5. b or c may be adjusted by the department to reflect funding for active treatment services.

6. The total payment rate for a facility as calculated under subd. 1, 4, 5. b or c or 5m 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).

(b) The charges for ancillary materials and services that would be incurred by a prudent buyer may be included as an adjustment to the rate determined by par. (av) when so determined by the department. The department may not authorize any adjustments to the rate established under par. (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.

(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.

(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.

(bo) The department may establish payment methods for capital payment for a newly constructed facility that first provided services after June 30, 1984.

(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.

(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 sub. (6u), 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 payment under this section a facility shall:

1. Meet the staffing standard requirements for direct care costs including the supplement contained under par. (ar) 1. c, for which payment 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:

2. Terminate payment to a facility for 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 facility 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 facility, 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 payment 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 facilities providing skilled, intermediate, limited, personal or residential care or providing care for the mentally retarded for modifications to any payment under this subsection. The department may, upon the presentation of facts, modify a 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 payment levels allowed under this subsection but may not exceed federal maximum reimbursement levels. The department shall develop specific criteria and standards for granting payment 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) Payment under this section to a facility may not include the cost of care reimbursable for persons eligible for medicare benefits under 42 USC 1395 to 1395zz. Medical assistance recipients are not liable for

these costs. The department may require that a facility recover these costs from the appropriate agencies. The department may, by rule, require medicare certification under 42 USC 1395 to 1395zz, 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 facility residents under this chapter be submitted or countersigned by the respective facility administrator. The department may specify those categories of services for which payment 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 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 s. HSS 132.13.

2. Payment 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, payment for personal or residential care is available only if the person entered a facility on or before November 1, 1983.

SECTION 996. 49.45 (6m) (br) (intro.) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

49.45 (6m) (br) (intro.) 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 sub. (6u), all of the following apply:

SECTION 997. 49.45 (6m) (br) 1 of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

49.45 (6m) (br) 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) in accordance with s. 16.544 to the extent applicable.

SECTION 997g. 49.45 (6u) (b) 3 of the statutes is created to read:

49.45 (6u) (b) 3. Consideration of the size of a facility's operating deficit.

SECTION 997m. 49.45 (6u) (g) of the statutes is created to read:

49.45 (6u) (g) If a facility that is otherwise eligible for an allocation of funds under this section is found

by the federal health care financing administration or the department to be an institution for mental diseases, as defined under 42 CFR 435.1009, the department may not allocate to that facility funds under this section after the date on which the finding is made.

SECTION 998. 49.45 (7) (a) of the statutes is repealed and recreated to read:

49.45 (7) (a) A recipient who is a patient in a public medical institution or an accommodated person and has a monthly income exceeding the payment rates established under 42 USC 1382 (e) may retain \$40 unearned income per month for personal needs. The recipient shall apply income in excess of \$40, less any amount deducted under rules promulgated by the department, toward the cost of care in the facility.

SECTION 998c. 49.45 (18) (intro.) of the statutes is amended to read:

49.45 (18) RECIPIENT COST SHARING. (intro.) Except as provided in pars. (a) to (e) (d), any person eligible for medical assistance under s. 49.46 or 49.47 shall pay up to the maximum amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided under s. 49.46 (2). The service provider shall collect the allowable copayment, coinsurance or deductible. The department shall reduce payments to each provider by the amount of the allowable copayment, coinsurance or deductible. No provider may deny care or services because the recipient is unable to share costs, but an inability to share costs specified in this subsection does not relieve the recipient of liability for these costs. Liability under this subsection is limited by the following provisions:

SECTION 998r. 49.45 (18) (b) 8 of the statutes is repealed.

SECTION 998w. 49.45 (18) (b) 9 of the statutes is repealed.

SECTION 999. 49.45 (18) (b) 11 of the statutes is created to read:

49.45 (18) (b) 11. Personal care services.

SECTION 999m. 49.45 (18) (b) 12 of the statutes is created to read:

49.45 (18) (b) 12. Case management services.

SECTION 1000. 49.45 (23) of the statutes is created to read:

49.45 (23) TREATMENT OF TRUSTS. (a) In this subsection, "medical assistance qualifying trust" means a revocable or irrevocable trust, other than a trust established in a will, created by an individual or the individual's spouse under the terms of which the individual receives or could receive payments and the trustee has discretion in making payments to the individual.

(b) For the purpose of determining eligibility for medical assistance, the maximum amount of payments that the trustee of a medical assistance qualifying trust may make to an individual under the terms of the medical assistance qualifying trust shall be considered to be available to the individual, without regard

to whether the trustee actually makes the maximum payments to the individual and without regard to the purpose for which the medical assistance qualifying trust was established.

(c) The department may waive the application of par. (b) to an individual if it determines that the application of that paragraph would work an undue hardship.

(d) Paragraph (b) does not apply to a trust or initial trust decree established prior to April 7, 1986, solely for the benefit of an individual with mental retardation who resides in an intermediate care facility for the mentally retarded under 42 USC 1396d (c) and (d).

SECTION 1000m. 49.45 (24) of the statutes is created to read:

49.45 (24) PRIMARY CARE PROVIDER PILOT. The department may request a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (b) (1) to permit the establishment of a primary care provider pilot project. If the waiver is granted, the department may establish a primary care provider pilot project under which primary care providers act as case managers for medical assistance beneficiaries. If the department establishes a primary care provider pilot project, it shall reimburse a case manager for the allowable charges for case management services provided to a beneficiary participating in the pilot project.

SECTION 1000r. 49.45 (24m) of the statutes is created to read:

49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. From the appropriations under s. 20.435 (1) (b) and (o), in order to test the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients that is based on competitive bidding, the department shall:

(a) By January 1, 1988, select a county in this state and solicit bids from providers of home health care and personal care services in that county for the provision, on a contractual basis, of home health and personal care services authorized under ss. 49.46 (2) (a) 4. d and (b) 6. j and 49.47 (6) (a) 1.

(b) Award contracts for the provision of home health care and personal care services from the bids received under par. (a) only if the department determines that the contracts would result in a lower cost alternative to fee-for-service reimbursement.

SECTION 1000s. 49.45 (25) of the statutes is created to read:

49.45 (25) CASE MANAGEMENT SERVICES. (a) In this subsection, "severely emotionally disturbed child" means a person under 21 years of age who has emotional and behavioral problems which are all of the following:

1. Severe in degree.
2. Expected to persist for at least one year.

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~~3. Substantially interfering with the person's functioning in the family, school or community and with the person's ability to cope with the ordinary demands of life.~~

~~4. Causing the person to need services from 2 or more mental health, juvenile justice, social service, child welfare, special education or health organizations.~~

(am) Except as provided under sub. (24), case management services under ss. 49.46 (2) (b) 9 and 49.47 (6) (a) 3 are reimbursable under medical assistance only if provided to a medical assistance beneficiary who has a developmental disability, as defined under s. 51.01 (5) (a), chronic mental illness, as defined under s. 51.01 (3g), or Alzheimer's disease, as defined under s. 46.87 (1) (a), is alcoholic, as defined under s. 51.01 (1), or drug dependent, as defined under s. 51.01 (8), is physically disabled, as defined by the department, is a severely emotionally disturbed child, or is over age 65 and who receives case management services from or through a certified case management provider in a county which elects, under par. (b), to make the services available.

(b) A county may elect to make case management services under this subsection available in the county to one or more of the categories of beneficiaries under par. (am) through the medical assistance program. A county which elects to make the services available shall reimburse a case management provider for the amount of the allowable charges for those services under the medical assistance program that is not provided by the federal government.

(bm) Case management services under this subsection may not be provided to a person under the category of severely emotionally disturbed child unless a team of mental health experts appointed by the case management provider determines that the person is a severely emotionally disturbed child. The team shall consist of at least 3 members. The case management provider shall appoint at least one member of the team who is licensed psychologist or a physician specializing in psychiatry. The case management provider shall appoint at least 2 members of the team who are members of the professions of school psychologist, school social worker, registered nurse, social worker, child care worker, occupational therapist or teacher of emotionally disturbed children. The case management provider shall appoint as a member of the team at least one person who personally participated in a psychological evaluation of the child.

(c) The department shall reimburse a provider of case management services under this subsection only for the amount of the allowable charges for those services under the medical assistance program that is provided by the federal government.

SECTION 1001. 49.46 (1) (a) 1m of the statutes is amended to read:

49.46 (1) (a) 1m. Any pregnant woman who would be eligible for aid to families with dependent children

~~if the child was born and living with her meets the resource and income limits under s. 49.19 (4) (bm) and (es) and whose pregnancy is medically verified. Eligibility begins on the date pregnancy is verified or the date of application, whichever is later, and continues for 60 days after the last day of the pregnancy.~~

~~SECTION 1001d. 49.46 (1) (a) 6 to 11 of the statutes are created to read:~~

~~49.46 (1) (a) 6. Any pregnant woman not described under subd. 1 or 1m whose family income does not exceed the poverty line for a family the size of the woman's family.~~

~~7. Any child not described under subd. 1 who is under one year of age and whose family income does not exceed the poverty line for a family the size of the child's family.~~

~~8. Any child not described under subd. 1 who has attained the age of one but who has not attained the age of 2 and whose family income does not exceed the poverty line for a family the size of the child's family. This subdivision applies after September 30, 1987.~~

~~9. Any child not described under subd. 1 who has attained the age of 2 but who has not attained the age of 3 and whose family income does not exceed the poverty line for a family the size of the child's family. This subdivision applies after September 30, 1988.~~

~~10. Any child not described under subd. 1 who has attained the age of 3 but who has not attained the age of 4 and whose family income does not exceed the poverty line for a family the size of the child's family. This subdivision applies after September 30, 1989.~~

~~11. Any child not described under subd. 1 who has attained the age of 4 but who has not attained the age of 5 and whose family income does not exceed the poverty line for a family the size of the child's family. This subdivision applies after September 30, 1990.~~

SECTION 1001e. 49.46 (1) (c) (intro.) of the statutes is amended to read:

49.46 (1) (c) (intro.) Medical Except as provided under par. (co), medical assistance shall be provided to a person or family for 4 calendar months following the month in which the person or family becomes ineligible for aid to families with dependent children because of increased income from employment if:

SECTION 1001f. 49.46 (1) (cm) of the statutes is amended to read:

49.46 (1) (cm) Medical Except as provided under par. (co), medical assistance shall be provided to a family for 9 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 or (am) due to the expiration after September 30, 1984, of the time limit during which the disregards are applied.

SECTION 1001g. 49.46 (1) (co) of the statutes is created to read:

49.46 (1) (co) 1. Except as provided under subd. 2, medical assistance shall be provided to a family for 12

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in Part

consecutive calendar months following the month in which the family becomes ineligible for aid to families with dependent children because of increased income from employment, because the family no longer receives the earned income disregard under s. 49.19 (5) (a) 4 or 4m or (am) due to the expiration of the time limit during which the disregards are applied or because of the application of the monthly employment time eligibility limitation under 45 CFR 233.100 (a) (1) (i).

2. If a waiver under subd. 3 is granted, the department may select individuals to receive medical assistance benefits as provided under par. (c) or (cm), rather than under subd. 1, as a control group for part or all of the period during which the waiver is in effect.

3. The department shall request a waiver from the secretary of the federal department of health and human services to permit the extension of medical assistance benefits under subds. 1 and 2. Subdivision 1 does not apply unless a federal waiver is in effect. If a waiver is received, the department shall implement subds. 1 and 2 no later than the first day of the 6th month beginning after the waiver is approved.

Vetoed
in Part

~~SECTION 1001h. 49.46 (1) (f) of the statutes is created to read:~~

~~49.46 (1) (f) An individual determined to be eligible for benefits under par. (a) 6 remains eligible for benefits under par. (a) 6 for the balance of the pregnancy and for 60 days after the last day of the pregnancy without regard to any change in the individual's family income.~~

~~SECTION 1001p. 49.46 (1) (g) of the statutes is created to read:~~

~~49.46 (1) (g) If a child eligible for benefits under par. (a) 7, 8, 9, 10 or 11 is receiving inpatient services covered under sub. (2) on the day before the birthday on which the child attains the age at which he or she would become ineligible for benefits and, but for attaining that age, the child would remain eligible for benefits under par. (a) 7, 8, 9, 10 or 11, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.~~

~~SECTION 1001r. 49.46 (1) (h) of the statutes is created to read:~~

~~49.46 (1) (h) For the purposes of sub. (1) (a) 6 to 11, "income" includes income that would be used in determining eligibility for aid to families with dependent children under s. 49.19 and excludes income that would be excluded in determining eligibility for aid to families with dependent children under s. 49.19.~~

~~SECTION 1001i. 49.46 (2) (a) (intro.) of the statutes is amended to read:~~

~~49.46 (2) (a) (intro.) The Except as provided in par. (bn), the department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following federally mandated benefits:~~

SECTION 1001v. 49.46 (2) (a) 2 of the statutes is amended to read:

49.46 (2) (a) 2. Early and periodic screening and diagnosis, including case management services, of persons under 21 years of age and all medical treatment and dentists' services specified in par. (b) 1 found necessary by this screening and diagnosis.

SECTION 1002. 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 1002m. 49.46 (2) (a) 5 of the statutes is created to read:

49.46 (2) (a) 5. Hospice care, as provided under par. (g).

~~SECTION 1002n. 49.46 (2) (b) (intro.) of the statutes is amended to read:~~

~~49.46 (2) (b) (intro.) The Except as provided in par. (bn), the department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following services:~~

Vetoed
in Part

SECTION 1002r. 49.46 (2) (b) 6. a of the statutes is amended to read:

49.46 (2) (b) 6. a. Intermediate care facility services other than in an institution for mental diseases.

SECTION 1003. 49.46 (2) (b) 6. f of the statutes is amended to read:

49.46 (2) (b) 6. f. Medical day treatment services, mental health services and alcohol and other drug abuse services, including services provided by a psychiatrist, ~~subject to the limitations under par. (e) and including alcohol and other drug abuse day treatment services.~~

Vetoed
in Part

SECTION 1004. 49.46 (2) (b) 6. i of the statutes is amended to read:

49.46 (2) (b) 6. i. Insulin Over-the-counter drugs limited to insulin, antacids and analgesics, cough preparations and ophthalmic lubricants listed in the Wisconsin medical assistance drug index.

SECTION 1005. 49.46 (2) (b) 6. j of the statutes is created to read:

49.46 (2) (b) 6. j. Personal care services.

SECTION 1006. 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 or 46.278.

SECTION 1006m. 49.46 (2) (b) 9 of the statutes is created to read:

49.46 (2) (b) 9. Case management services, as specified under s. 49.45 (24) or (25).

~~SECTION 1006n. 49.46 (2) (bn) of the statutes is created to read:~~

Vetoed
in Part

Vetoed
in Part

~~49.46 (2) (bm). Benefits for an individual eligible under sub. (1) (a), (b) are limited to those services under par. (a) or (b) that are related to pregnancy, including postpartum services, or to other conditions which may complicate pregnancy.~~

SECTION 1007. 49.46 (2) (c) of the statutes is amended to read:

49.46 (2) (c) Medical assistance shall also include payment of any of the deductible and coinsurance portions of the above services which are not paid by medicare under Title XVIII 42 USC 1395 to 1395zz and the monthly premiums payable under section 1839 of the social security act 42 USC 1395r. Payment of coinsurance for a service under part B of medicare, 42 USC 1395j to 1395w, may not exceed the allowable charge for the service under medical assistance minus the medicare payment.

SECTION 1007m. 49.46 (2) (dm) of the statutes is created to read:

49.46 (2) (dm) Benefits under this section may not include payment for services to individuals aged 22 to 64 that are provided by an institution for mental diseases.

SECTION 1008. 49.46 (2) (e) of the statutes is repealed.

SECTION 1008m. 49.46 (2) (g) of the statutes is created to read:

49.46 (2) (g) The department shall pay for hospice care provided to a medical assistance beneficiary who resides in a skilled nursing facility or an intermediate care facility, is entitled to medicare part A benefits, under 42 USC 1395c to 1395i-2, and is terminally ill.

SECTION 1008n. 49.465 of the statutes is created to read:

49.465 Presumptive medical assistance eligibility.

(1) In this section, "qualified provider" means a provider which satisfies the requirements under 42 USC 1396r-1 (b) (2), as determined by the department.

(2) A pregnant woman is eligible for medical assistance benefits, as provided under sub. (3), during the period beginning on the day on which a qualified provider determines, on the basis of preliminary information, that the woman's family income does not exceed the highest level for eligibility for benefits under s. 49.46 (1) or 49.47 (4) (c) 1 and ending on the earliest of the following:

(a) The day on which the department or the county department under s. 46.215, 46.22 or 46.23 determines whether the woman is eligible for benefits under s. 49.46 or 49.47.

(b) The 45th day after the day on which the qualified provider makes the determination under this subsection.

(c) If the woman does not apply for benefits under s. 49.46 or 49.47, the 14th day after the day on which the provider makes the determination under this subsection.

(3) The department shall audit and pay allowable charges to a qualified provider for medical assistance

on behalf of a recipient under this section only for ambulatory prenatal care covered under s. 49.46 (2).

(4) A woman who is determined to be eligible under this section shall apply for benefits under s. 49.46 or 49.47 on or before the 14th day after the day on which the qualified provider makes that determination.

(5) A qualified provider which determines that a woman is eligible under this section shall do all of the following:

(a) Notify the department of that determination on or before the 5th day after the day the determination is made.

(b) Notify the woman of the requirement under sub. (4).

(6) The department shall provide qualified providers with application forms for medical assistance under ss. 49.46 and 49.47 and information on how to assist women in completing the forms.

SECTION 1009. 49.47 (4) (a) 2 of the statutes is amended to read:

49.47 (4) (a) 2. Pregnant and ~~would be eligible for aid to families with dependent children if the child was born and living with her, and~~ if the woman's pregnancy is medically verified. Eligibility begins on the date pregnancy is verified or the date of application, whichever is later, and continues for 60 days after the last day of the pregnancy.

SECTION 1010. 49.47 (4) (c) 1 of the statutes is amended to read:

49.47 (4) (c) 1. Except as provided in subd. 1m and as limited by subd. 3, eligibility exists if ~~the individual's~~ income does not exceed 133 1/3% of the maximum standard of need ~~used in determining eligibility for aid to families with dependent children payment under s. 49.19 (11) for the applicant's family size or the combined benefit amount available under supplemental security income under 42 USC 1381 to 1383c and state supplemental aid under s. 49.177 whichever is higher.~~ In this subdivision "income" includes earned or unearned income that would be included in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled under 42 USC 1381 to 1385. "Income" does not include earned or unearned income which would be excluded in determining eligibility for the individual or family under s. 49.177 or 49.19, or for the aged, blind or disabled individual under 42 USC 1381 to 1385.

SECTION 1011. 49.47 (6) (a) 1 of the statutes is amended to read:

49.47 (6) (a) 1. All beneficiaries, for those services enumerated under s. 49.46 (2) (a) and (b) 3 and 6. a to d; and h and i to j.

~~SECTION 1011d. 49.47 (6) (a) 2 of the statutes is amended to read:~~

~~49.47 (6) (a) 2. All beneficiaries who reside in an intermediate care facility or a skilled nursing facility that is not found to be an institution for mental dis-~~

Vetoed
in Part

Vetoed in Part ~~cases for those services enumerated under s. 49.46 (2) (a) 1, 2, 4, 5 and 6, f and g.~~

SECTION 1011g. 49.47 (6) (a) 3 of the statutes is created to read:

49.47 (6) (a) 3. Beneficiaries eligible under s. 49.45 (24) or (25), for the services under s. 49.46 (2) (b) 9.

SECTION 1011m. 49.47 (6) (a) 4 of the statutes is created to read:

49.47 (6) (a) 4. Beneficiaries described under s. 49.46 (2) (g), for hospice care.

Vetoed in Part ~~SECTION 1011n. 49.47 (6) (c) 3 of the statutes is amended to read:~~

~~49.47 (6) (c) 3. Care or services for an individual who is an inmate of a public institution, except as a patient in a medical institution or a resident in an intermediate care facility that is not found to be an institution for mental diseases.~~

SECTION 1011p. 49.47 (6) (c) 4 of the statutes is created to read:

49.47 (6) (c) 4. Services for individuals aged 22 to 64 that are provided under this section by an institution for mental diseases.

SECTION 1011t. 49.485 (1) (dm) of the statutes is amended to read:

49.485 (1) (dm) "Income" means income as defined in s. 71.09 (7) (a) 6, except that "income" does not include the following amounts that are excluded from adjusted gross income: capital gains, including capital gains excluded under section 1034 of the internal revenue code, dividends, contributions to individual retirement accounts, 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; and except that income does include all amounts received

Vetoed in Part ~~under §s. 46.27 and 144.027.~~

SECTION 1013. 49.497 (1) of the statutes is amended to read:

49.497 (1) The department may recover any payment made incorrectly for benefits specified under s. 49.46 or 49.47 if the incorrect payment results from any misstatement or omission of fact by a person supplying information in an application for benefits under s. 49.46 or 49.47. The department may also recover if a medical assistance recipient or any other person responsible for giving information on the recipient's behalf fails to report the receipt of income or assets in an amount that would have affected the recipient's eligibility for benefits. The department's right of recovery is against any medical assistance recipient to whom or on whose behalf the incorrect payment was made. The extent of recovery is limited to the amount of the benefits incorrectly granted. The county department under s. 46.215 or 46.22 or the governing body of a federally recognized American Indian tribe administering medical assistance shall begin recovery actions on behalf of the department according to rules the department may adopt.

SECTION 1014. 49.497 (2) of the statutes is created to read:

49.497 (2) A county or governing body of a federally recognized American Indian tribe may retain 15% of state aid distributed under s. 49.46 or 49.47 that is recovered under sub. (1) due to the efforts of an employe or officer of the county or tribe.

SECTION 1014b. 49.50 (7) (a) of the statutes is renumbered 49.50 (7) (am).

SECTION 1014e. 49.50 (7) (a) of the statutes is created to read:

49.50 (7) (a) In this subsection, "school" means any one of the following:

1. A public school, as described in s. 115.01 (1).
2. A private school, as defined in s. 115.001 (3r).
3. A vocational, technical and adult education school pursuant to a contract under s. 118.15 (2).
4. A course of study meeting the standards established by the state superintendent of public instruction under s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation.

SECTION 1014h. 49.50 (7) (b) of the statutes is amended to read:

49.50 (7) (b) The department shall pay the nonfederal share for such services enumerated in par. ~~(a)~~ (am). The department shall, to the extent possible, use available in-kind services to provide the nonfederal share for the program under this subsection.

SECTION 1014L. 49.50 (7) (e) of the statutes is renumbered 49.50 (7) (e) 2 and amended to read:

49.50 (7) (e) 2. The department shall establish procedures to ensure that reimbursement of child care expenses of participants in the program under this subsection other than those under subd. 1 is made consistently within 2 weeks after a recipient submits a claim form.

SECTION 1014n. 49.50 (7) (e) 1 of the statutes is created to read:

49.50 (7) (e) 1. For an individual who is a recipient of aid under s. 49.19, who is the parent with whom a dependent child lives and who is either required to attend school under par. (g) or is 13 to 19 years of age and wants to attend school, the department shall make a monthly payment to the individual or the child care provider for the month's child care costs in an amount based on need with the maximum amount per child equal to the lesser of the actual cost of the care or the rate established under s. 46.98 (4) (d) if all of the following apply:

a. The individual demonstrates the need to purchase child care services in order to attend school and those services are available.

b. The child care provider is licensed under s. 48.65 (1), certified under s. 48.651 or established under s. 120.13 (14).

SECTION 1014p. 49.50 (7) (f) of the statutes is created to read:

49.50 (7) (f) The department shall request a waiver from the secretary of the federal department of health and human services to allow the department to require participation in the program under this subsection or sub. (7c), (7j) or (7m) by a recipient of aid to families with dependent children who is a parent or other caretaker of a child who is at least 3 months of age but under 6 years of age even if the other parent or another adult relative of the child is required to participate in one of those programs. If the waiver is in effect, the department may require program participation by the parent or other caretaker of a child who is at least 3 months of age as provided in the waiver.

SECTION 1014r. 49.50 (7) (g) of the statutes is created to read:

49.50 (7) (g) An individual who is a recipient of aid under s. 49.19 shall attend school to meet the participation requirements of the program under this subsection if all of the following apply:

1. The individual is 13 to 19 years of age.
2. The individual has not graduated from a public or private high school or obtained a declaration of equivalency of high school graduation under s. 115.29 (4).
3. The individual is physically able to attend school and is not excused from attending school under s. 118.15 (3).

Vetoed in Part

4. The individual is a parent with whom a dependent child is living, the child is at least 3 months of age and child care licensed under s. 48.65, certified under s. 48.651 or provided under s. 46.99 or 120.13 (14) is available for the child.

5. If the individual is an 18-year-old or 19-year-old parent with whom a dependent child is living, the individual is reasonably expected to graduate from high school before reaching age 20.

SECTION 1014u. 49.50 (7) (h) of the statutes is created to read:

Vetoed in Part

49.50 (7) (h) An individual who fails to meet the requirements under par. (g) and who has been given the opportunity to participate in a program for children at risk under s. 118.153 or a program for school age parents under s. 115.92 is subject to sanctions as provided by the department by rule.

SECTION 1014y. 49.50 (7) (i) of the statutes is created to read:

49.50 (7) (i) The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of the school attendance requirement under par. (g). Paragraphs (e) 1, (g) and (h) do not apply unless the federal waiver is in effect. If a waiver is received, the department shall implement pars. (e) 1, (g) and (h) beginning with the fall 1987 school term, as defined under s. 115.001 (12), or on the date the waiver is effective, whichever is later.

SECTION 1014ym. 49.50 (7) (im) of the statutes is created to read:

Vetoed in Part

49.50 (7) (im) If the federal waiver under par. (i) is granted, the department of public instruction shall evaluate the effectiveness of the school attendance requirement under par. (g) at keeping parents aged 13 to 19 in school. On or before July 1, 1990, the department of public instruction shall submit a report of its findings to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The report shall compare the effectiveness of the requirement under par. (g) in the following situations:

1. A place in which the requirement operates alone.
2. A place in which the requirement operates in conjunction with the guaranteed jobs program under s. 46.33.
3. A place in which the requirement operates in conjunction with a program operated by private organization which contracts to provide training and job placement for recipients of aid under s. 49.19.
4. A place in which the requirement operates in conjunction with an in-school day care program under s. 120.13 (14).
5. A place in which the requirement operates in conjunction with a private business scholarship program.

SECTION 1014z. 49.50 (7) (j) of the statutes is created to read:

Vetoed in Part

49.50 (7) (j) 1. Except as provided under subd. 2, an individual who graduates from a high school participating in the program under s. 46.33 at the time of the person's graduation who receives aid under s. 49.19 within 5 years after high school graduation and who lives in the county in which the high school is located shall participate in the program under s. 46.33 to meet the participation requirements of the program under this subsection.

2. The department shall provide by rule for exceptions to the requirement under subd. 1 for individuals who are disabled, working or attending college, a vocational, technical and adult education school or other educational program with a vocational objective or who lack transportation or for whom travel time to and from a training or job location would be excessive.

3. A participant in the program under s. 46.33 who receives benefits under s. 49.19 is eligible for supportive services provided under par. (a) and sub. (7j) including postplacement child care funds under sub. (7j) (e).

4. The department shall request a waiver from the secretary of the federal department of health and human services to permit the application of the requirement under subd. 1. Subdivision 1 does not apply unless the federal waiver is in effect.

SECTION 1015. 49.50 (7g) (a) of the statutes is amended to read:

49.50 (7g) (a) In conjunction with the program under sub. (7), the department may administer by con-

tract, 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 non-profit corporation, a partnership or any other association.

Vetoed in Part SECTION 1015m. 49.50 (7g) (c) 2 of the statutes is amended to read:

~~49.50 (7g) (c) 2. The federal minimum hourly wage prescribed by 29 USC 206 (a) (1) under s. 104.025 (2) (a).~~

SECTION 1015p. 49.50 (7g) (ca) of the statutes is amended to read:

49.50 (7g) (ca) Payment Except as provided under par. (cm), 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.

SECTION 1015r. 49.50 (7g) (cm) of the statutes is created to read:

49.50 (7g) (cm) 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-sixth of the remaining earned income. This paragraph does not apply unless the federal waiver under s. 49.19 (5) (am) is in effect.

SECTION 1016. 49.50 (7j) (title) and (a) of the statutes are amended to read:

49.50 (7j) (title) WORK EXPERIENCE AND JOB TRAINING PROGRAM. (a) The department shall administer a work experience and job training ~~pilot~~ program in conjunction with the program under sub. (7) for recipients of aid to families with dependent children under s. 49.19 and for other persons pursuant to a contract under s. 49.51. The department shall ensure that the ~~pilot~~ program is coordinated with programs under the job training partnership act, 29 USC 1501 to 1781, and other job training programs. ~~The department shall select 2 or more counties, from the counties in which the program under sub. (7) operates, to participate in the pilot program.~~ The department shall promulgate rules for the administration of the ~~pilot~~ program. The department shall provide services under this subsection starting no later than January 1, 1987.

Vetoed in Part SECTION 1016m. 49.50 (7j) (ae) of the statutes is created to read:

~~49.50 (7j) (ae) Notwithstanding par. (b), the department shall contract with a community action agency under s. 46.30, for the administration of the program under this section in a portion of a county with a population of 500,000 or more.~~

Vetoed in Part

SECTION 1017. 49.50 (7j) (am) of the statutes is repealed.

SECTION 1018. 49.50 (7j) (as) of the statutes is repealed and recreated to read:

49.50 (7j) (as) A recipient of aid to families with dependent children under s. 49.19 who is not required to participate in the program under this subsection may volunteer to participate in the program.

SECTION 1019. 49.50 (7j) (b) of the statutes is amended to read:

49.50 (7j) (b) The department may provide services for the ~~pilot~~ program under this subsection directly or by contract with a public or private agency. Notwithstanding s. 16.75 (6), any contract for the purchase of services for the ~~pilot~~ project shall be awarded by competitive bidding or by competitive sealed proposals.

SECTION 1020. 49.50 (7j) (c) (intro.) of the statutes is amended to read:

49.50 (7j) (c) (intro.) The ~~pilot~~ project established under this subsection shall include all of the following:

SECTION 1021. 49.50 (7j) (cm) of the statutes is amended to read:

49.50 (7j) (cm) The department shall ensure that individuals who are required or who volunteer to participate in the ~~pilot~~ program under this subsection are informed of the sanctions which may be imposed in connection with the ~~pilot~~ program.

SECTION 1022. 49.50 (7j) (d) 1 of the statutes is amended to read:

49.50 (7j) (d) 1. A community work experience program under 42 USC 609 established as a part of the ~~pilot~~ program under this subsection shall be subject to this paragraph and the rules promulgated under par. (a), notwithstanding ss. 46.215 (1) (e), 46.22 (1) (b) 11 and 49.19 (4) (ds) sub. (7m). Rules promulgated by the department under sub. (7m) (k) apply to a community work experience program established as part of the ~~pilot~~ program under this subsection to the extent that they do not conflict with this subsection.

SECTION 1023. 49.50 (7j) (d) 2 of the statutes is amended to read:

49.50 (7j) (d) 2. A county participating in the work experience and job training ~~pilot~~ program under this subsection shall establish a community work experience program. The ~~pilot~~ county shall pay 10% of the federally allowable administrative costs of the community work experience program that are not reimbursed by the federal government and the department shall, from the appropriation under s. 20.435 (4) (df), reimburse the county for the remainder of the federally allowable administrative costs not reimbursed by the federal government.

SECTION 1024. 49.50 (7j) (d) 3. (intro.) of the statutes is amended to read:

49.50 (7j) (d) 3. (intro.) In each county participating in the ~~pilot~~ program, the county executive or county administrator or, if the county has no county executive or county administrator, the chairperson of the county board shall appoint a council, to be known as the community work experience program council, to coordinate job placements at job sites for the program under this paragraph. The community work experience program council shall include the following members:

SECTION 1025. 49.50 (7j) (d) 4 of the statutes is amended to read:

49.50 (7j) (d) 4. ~~A person shall participate in the community work experience program under this paragraph if the person has completed the rest of the work experience and job training pilot program and remains unemployed.~~ No person may be required to work for more than 16 weeks or more than 32 hours per week in the community work experience program. Any person who would otherwise be exempt from registering for a work program because the person is caring for a child whose age is less than 6 years but who volunteers for the ~~pilot~~ program under this subsection shall be required to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 is available for the child. If the waiver under sub. (7) (f) is in effect, the department may require a recipient of aid under s. 49.19 who is caring for a child who is at least 3 months but less than 6 years of age to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 is available for the child.

SECTION 1026. 49.50 (7j) (d) 6 of the statutes is amended to read:

49.50 (7j) (d) 6. Except as provided in subd. 6m, a recipient of aid to families with dependent children who is caring for a child under the age of 3 and who is not required to participate in the ~~pilot~~ program established under this subsection but who volunteers to participate shall be informed of the provisions of subd. 4 and that the penalties under subd. 7 apply to a voluntary participant unless the participant has withdrawn from the community work experience program after giving 20 days' advance notice of his or her intent to withdraw.

SECTION 1026c. 49.50 (7j) (d) 6m of the statutes is created to read:

49.50 (7j) (d) 6m. A recipient of aid to families with dependent children who is not required to participate in the program established under this subsection because of the age of the child for whom the person is the caretaker but who volunteers to participate shall be informed of the provisions of subd. 4 and that the penalties under subd. 7 apply to a voluntary participant unless the participant has withdrawn from the community work experience program after giving 20

days' advance notice of his or her intent to withdraw. This subdivision only applies if a waiver is in effect under sub. (7) (f) and if, under the waiver, the department requires participation in the program under this subsection by a person who is the caretaker of a child under the age of 6 years.

SECTION 1026g. 49.50 (7j) (d) 7 of the statutes is amended to read:

49.50 (7j) (d) 7. Except as provided in subd. 6 or 6m, if a participant in the community work experience program under this paragraph fails or refuses, without good cause, to participate in the program, sanctions shall apply as specified in 45 CFR 238.22.

SECTION 1027. 49.50 (7j) (e) of the statutes is amended to read:

49.50 (7j) (e) As part of the ~~pilot~~ program under this subsection, the department shall provide funds to pay child care costs of individuals who secure unsubsidized employment following participation in the ~~pilot~~ program and lose eligibility for aid to families with dependent children because of earned income. The funds shall be used to provide care for children for all or part of a day during which the individual works. The child care services must be provided by a child care provider as defined in s. 46.98 (1) (a). The department shall establish a formula for assistance under this paragraph based on ability to pay. The rates for child care services under this paragraph shall be determined as provided under s. 46.98 (4) (d).

SECTION 1028. 49.50 (7j) (em) of the statutes is amended to read:

49.50 (7j) (em) If child care funds provided in the ~~pilot~~ program under this subsection are insufficient to meet the needs of participants in the ~~pilot~~ program, a county may give priority for aid under s. 46.98 to participants in the ~~pilot~~ program, after meeting the needs of all parents eligible under s. 46.98 (4) (a) 4; however, a county may not reduce or terminate aid provided to any parent under s. 46.98 in order to provide aid to participants in the ~~pilot~~ this program.

SECTION 1029. 49.50 (7j) (f) of the statutes is amended to read:

49.50 (7j) (f) The department shall request a waiver from the secretary of the federal department of health and human services under 42 USC 1396n (c) to permit the department to provide medical assistance benefits in the circumstances under s. 49.46 (1) (cm) for 12 months, rather than 9 months, following the month in which the family is ineligible for aid to families with dependent children only to families in which one or more members secure employment following participation in the ~~pilot~~ program under this subsection. If a waiver is received, the department shall provide medical assistance benefits beginning January 1, 1987, or the date of the waiver, whichever is later, in the circumstances under s. 49.46 (1) (cm) for 12 months following the month in which the family is ineligible for aid to families with dependent children to families in which one or more members secure employment fol-

lowing participation in the pilot program under this subsection.

Vetoed
in Part

~~SECTION 1029m. 49.50 (7j) (fm) of the statutes is created to read:~~

~~49.50 (7j) (fm) In 2 counties participating in the program under this subsection, the department shall ensure that grant diversion under sub. (7g) is used to fund jobs in nonprofit organizations and governmental units in addition to jobs in businesses that operate for profit.~~

SECTION 1030. 49.50 (7j) (g) of the statutes is amended to read:

49.50 (7j) (g) The department shall submit a report evaluating the effectiveness of the pilot program established under this subsection and containing its findings and recommendations on which components of the pilot program under this subsection should be implemented statewide to the presiding officer of each house of the legislature by July 1, 1988.

SECTION 1031. 49.50 (7m) of the statutes is repealed and recreated to read:

49.50 (7m) COMMUNITY WORK EXPERIENCE PROGRAM. (a) A county department under s. 46.215, 46.22 or 46.23 may establish a community work experience program under 42 USC 609.

(b) In each county in which the program under this subsection is established, the county executive or county administrator or, if the county has no county executive or county administrator, the chairperson of the county board shall appoint a council, to be known as the community work experience program council, to coordinate job placements at job sites for the program under this subsection. The community work experience program council shall include the following members:

1. An elected county official.
2. A representative of the county department under s. 46.215, 46.22 or 46.23.
3. A representative of a local school district.
4. A representative of organized labor.
5. A recipient of aid to families with dependent children or a representative of a recipient advocacy group.
6. A representative of private business nominated by the area private industry council under the job training partnership act, 29 USC 1501 to 1781.
7. A representative of the office which administers the program under sub. (7) in the county, if the program under sub. (7) operates in the county.

(c) A person participating in a community work experience program in a county is considered an employe of that county for purposes of worker's compensation benefits only.

(d) A community work experience program may not be operated so as to supplant a regular employe of any governmental unit or fill an established vacant governmental job.

(e) No person may be required to work more than 32 hours per week in the program under this subsection. No person may be required to work more than 16 weeks in the program under this subsection.

(f) Except as provided in par. (fm), any recipient of aid under s. 49.19 who would otherwise be exempt from registering for a work program because the recipient is caring for a child who is at least 3 years but less than 6 years of age may be required to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 is available for the child.

(fm) If the waiver under sub. (7) (f) is in effect, the department may require a recipient of aid under s. 49.19 who is caring for a child who is at least 3 months but less than 6 years of age to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 is available for the child.

(g) A county department operating a program under this subsection shall assist a person who is subject to par. (f) or (fm) to obtain child day care licensed under s. 48.65 (1) or certified under s. 48.651.

(h) If a person who is required to participate in a program under this subsection fails or refuses, without good cause, to participate in the program, sanctions shall apply as provided in 45 CFR 238.22.

(i) Prior to imposing a sanction on a person for failure to participate in the community work experience program, the county department under s. 46.215, 46.22 or 46.23 shall notify the person in writing of the reason for the proposed sanction. The notice must inform the person of the right to explain any disagreement with the decision informally by contacting the county department within 10 working days after the written notice. This right shall be in addition to the right to a formal review under 45 CFR 238.24.

(j) A county department under s. 46.215, 46.22 or 46.23 which establishes a program under this subsection shall pay 10% of the federally allowable administrative costs of the program that are not reimbursed by the federal government and the department of health and social services shall, from the appropriation under s. 20.435 (4) (df), reimburse the county department for the remainder of the federally allowable administrative costs not reimbursed by the federal government.

(jm) From the appropriation under s. 20.435 (4) (df), the department shall use available funds to pay child care costs of individuals who secure unsubsidized employment following participation in a program under this subsection and lose eligibility for aid to families with dependent children because of earned income. The funds shall be used to provide care for children for all or part of a day during which the individual works. The child care services must be provided by a child care provider as defined in s. 46.98 (1) (a). The department shall establish a formula for assis-

tance under this paragraph based on ability to pay. The rates for child care services under this paragraph shall be determined as provided under s. 46.98 (4) (d).

(k) The department shall promulgate rules for the administration of community work experience programs under this subsection.

Vetoed
in Part

~~SECTION 1031m. 49.50 (7s) of the statutes is created to read:~~

~~49.50 (7s) SELF-EMPLOYMENT AND PLACEMENT PILOT PROJECT. (a) The department shall contract with the department of development for the administration of a self-employment and placement pilot project for recipients of aid under s. 49.19.~~

~~(b) The department of development shall operate the pilot project at one or 2 sites at which other employment and training services exist for recipients of aid under s. 49.19.~~

~~(c) The pilot project shall include all of the following:~~

~~1. Contracts between the department of development and local providers for services including coordination of participant training and technical assistance.~~

~~2. Loans for establishing small businesses, as provided under par. (d).~~

~~(d) The department of development shall administer a self-employment loan fund. The department of development shall enter into a contract with a financial institution, as defined under s. 710.05 (1) (c), under which the department of development deposits funds in the financial institution and the financial institution makes loans to, or on behalf of, participants in the pilot program for establishing small businesses. The contract may require the financial institution to provide a portion of the loan amounts. The department of development may directly make loans which are not covered by the contract with the financial institution.~~

~~(e) The department may apply to the secretary of the federal department of health and human services for a waiver to allow participants in the program under this subdivision to receive loans under par. (d) and remain eligible for aid under s. 49.19.~~

~~(f) A person operating a business established under the pilot project shall to the extent possible hire recipients of aid under s. 49.19.~~

SECTION 1031mm. 49.50 (7w) of the statutes is created to read:

49.50 (7w) CASE MANAGEMENT PILOT PROJECT. (a) The department shall establish a pilot case management system in 2 counties which participate in the work experience and job training program under sub. (7j).

(b) The case management system shall include the preparation of a case management contract by the county department under s. 46.215, 46.22 or 46.23 for each family initially determined to be eligible for benefits under s. 49.19. To the extent possible, the county department shall involve the family in developing the contract. The county department shall design each

plan to enable the family to become independent of benefits under this section by addressing the causes of the family's dependency through the use of available public and private programs and services.

(c) Compliance with the contract developed under par. (b) is a mandatory condition of participation in the program under sub. (7) or (7j) for a person required to register for either of those programs.

(d) A person who is not required to register for the program under sub. (7) or (7j) is subject to administrative sanctions for violating the contract developed under par. (b).

(e) The department shall reimburse the counties, from the appropriation under s. 20.435 (4) (de) for the cost of the pilot program under this subsection.

SECTION 1031n. 49.50 (11) of the statutes is amended to read:

49.50 (11) PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall make a periodic check of the amounts earned by public assistance recipients of medical assistance under s. 49.46 or 49.47, aid to families with dependent children under s. 49.19 and food stamps under 7 USC 2011 to 2029 through a check of the amounts credited to the recipient's social security number. The department shall make an investigation into any discrepancy between the amounts credited to a social security number and amounts reported as income on the declaration application and take appropriate action under s. 49.12 when warranted. The department shall use the state wage reporting system developed by the department of industry, labor and human relations under 1985 Wisconsin Act 17, section 65 (1), when the system is implemented, to make periodic earnings checks. The department of industry, labor and human relations shall cooperate with the department in supplying this information.

SECTION 1032. 49.51 of the statutes is created to read:

49.51 Providing work experience and job training services. (1) In this section, "provider" means the department if it provides services for the program under s. 49.50 (7j) directly or an agency which contracts with the department under s. 49.50 (7j) (b) to provide services for the program under s. 49.50 (7j).

(2) The provider in a county may contract with the county to provide work experience and job training services under s. 49.50 (7j) to recipients of general relief under s. 49.02. The number of general relief recipients receiving services under this subsection in a county may not exceed 20% of the number of aid to families with dependent children recipients receiving services under s. 49.50 (7j) in the county. The county shall reimburse the provider for the actual cost of services provided under this subsection.

(3) If the department is the provider in a county, the department may provide work experience and job training services under s. 49.50 (7j) to persons who participate in the child support supplement program under s. 46.257.

(4) If the department is not the provider in a county, the department may require the provider to contract with the department to provide work experience and job training services under s. 49.50 (7j) to persons who participate in the child support supplement program under s. 46.257. The department shall reimburse the provider for the actual cost of services provided under this subsection.

SECTION 1034. 49.52 (1) (ad) of the statutes is created to read:

49.52 (1) (ad) In par. (ag), "county base allocation" means, for a year, the total of the following:

1. The state and federal income maintenance administration funds distributed to the county by contract under s. 46.032 for the previous year.

2. The ratio of the amount of that county's funds matched to federal funds for income maintenance administration in 1985 to the total amount of county funds matched to federal funds by all counties for income maintenance administration in 1985 multiplied by \$4,855,214.

SECTION 1035. 49.52 (1) (ag) of the statutes is repealed and recreated to read:

49.52 (1) (ag) The department shall reimburse each county for reasonable costs of income maintenance administration within the limits of available state and federal funds under s. 20.435 (4) (de) and (nL) by contract under s. 46.032. The department shall determine reimbursement to a county as follows:

1. For the last 6 months of 1987, an amount equal to the amount distributed to the county for the first 6 months of 1987.

2. For 1988:

a. Divide the projected county workload change for 1988, as determined by the department, by the projected statewide workload change for 1988, as determined by the department.

b. Multiply the amount under subd. 2. a by 0.75.

c. Multiply the amount under subd. 2. b by the county base allocation for 1988.

d. If the county has a projected workload increase, add the amount under subd. 2. c to the county base allocation for 1988; and if the county has a projected workload decrease, subtract the amount under subd. 2. c from the county base allocation for 1988.

e. A county's reimbursement equals the amount under subd. 2. d or 95% of the county base allocation for 1988, whichever is greater.

3. For the first 6 months of 1989:

a. Divide the projected county workload change for the first 6 months of 1989, as determined by the department, by the projected statewide workload change for the first 6 months of 1989, as determined by the department.

b. Multiply the amount under subd. 3. a by 0.75.

c. Multiply the amount under subd. 3. b by 50% of the county base allocation for 1989.

~~d. If the county has a projected workload increase, add the amount under subd. 3. c to 50% of the county base allocation for 1989, and if the county has a projected workload decrease, subtract the amount under subd. 3. c from 50% of the county base allocation for 1989.~~

~~e. A county's reimbursement equals the amount under subd. 3. d or 95% of 50% of the county base allocation for 1989, whichever is greater.~~

SECTION 1035m. 49.52 (1) (aj) of the statutes is created to read:

49.52 (1) (aj) In addition to the amounts determined under par. (ag), the department shall reimburse each county for the costs of administering ss. 49.50 (7) (e) and (g) in an amount not to exceed \$427,500 in the last 6 months of 1987, \$855,200 in 1988 and \$427,500 in the first 6 months of 1989, statewide.

SECTION 1036. 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 under ss. 46.215 and 46.22 or to county departments under s. and 46.23 as provided under 1985 Wisconsin Act 29, section 3023 (3) s. 46.40. County matching funds are required for the allocations under 1985 Wisconsin Act 29, section 3023 (3) (a), (bm), (e) to (h), (i) to (n) and (qr). The s. 46.40 (1) to (4), (8) and (9). Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Beginning January 1, 1988, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. 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. 51.423 (5). 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 1037. 49.52 (1) (h) of the statutes is repealed.

SECTION 1038. 49.52 (4) and (5) of the statutes are created to read:

49.52 (4) (a) A county or federally recognized American Indian tribe is liable for all food stamp coupons lost, misappropriated or destroyed while under the county's or tribe's direct control, except as provided in par. (b).

Vetoed
in Part

Vetoed
in Part

(b) A county or federally recognized American Indian tribe is not liable for food stamp coupons lost in natural disasters if it provides evidence acceptable to the department that the coupons were destroyed and not redeemed.

(c) A county or federally recognized American Indian tribe is liable for food stamp coupons mailed to residents of the county or members of the tribe and lost in the mail due to incorrect information submitted to the department by the county or tribe.

(5) The department shall withhold the value of food stamp losses for which a county or federally recognized American Indian tribe is liable under sub. (4) from the payment to the county or tribe under s. 20.435 (4) (de) 1 and (nL) and reimburse the federal government from the funds withheld.

SECTION 1039. 49.80 (3) (a) (intro.) of the statutes is renumbered 49.80 (3) (a) and amended to read:

49.80 (3) (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): \$1,600,000 in each fiscal year.

SECTION 1040. 49.80 (3) (a) 1 and 2 of the statutes are repealed.

SECTION 1041m. 49.80 (3) (b) of the statutes is amended to read:

49.80 (3) (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) the total amount available for payment of benefits under sub. (6) and the intended benefit level for each category of assistance.~~

SECTION 1043m. 49.80 (3) (c) 1 and 2 of the statutes are amended to read:

49.80 (3) (c) 1. In federal fiscal year ~~1986~~ 1988, \$1,100,000.

2. In federal fiscal year ~~1987~~ 1989, \$1,100,000.

SECTION 1044m. 49.80 (3) (d) 1 and 2 of the statutes are amended to read:

49.80 (3) (d) 1. In federal fiscal year ~~1986~~, \$3,100,000 ~~1988~~, \$2,900,000.

2. In federal fiscal year ~~1987~~, \$3,100,000 ~~1989~~, \$2,900,000.

SECTION 1045. 49.80 (3) (e) 1. a and b of the statutes are amended to read:

49.80 (3) (e) 1. a. In federal fiscal year ~~1986~~ 1988, 15% of the moneys received under 42 USC 8621 to 8629.

b. In federal fiscal year ~~1987~~ 1989, 15% of the moneys received under 42 USC 8621 to 8629.

SECTION 1046. 49.80 (3) (e) 1m of the statutes is repealed.

SECTION 1047. 49.80 (3) (e) 2 of the statutes is amended to read:

49.80 (3) (e) 2. Allocate the following to a county department under s. 46.215 (1) (n) or 46.22 (1) (b) 10 for the payment of a household eligible for a crisis

assistance benefit to meet weather-related or fuel supply shortage emergencies under sub. (8):

a. In federal fiscal year ~~1986~~, ~~\$2,400,000~~ 1988, ~~\$1,400,000~~ Vetoed in Part

b. In federal fiscal year ~~1987~~, ~~\$2,400,000~~ 1989, ~~\$1,400,000~~ Vetoed in Part

SECTION 1048m. 49.80 (3) (e) 3 of the statutes is repealed and recreated to read:

49.80 (3) (e) 3. Except as provided under subd. 6, allocate the balance of funds received under 42 USC 8621 to 8629 in a federal fiscal year, after making the transfer under par. (a) and the allocations under pars. (c) and (d) and subds. 1 and 2, for the payment of low-income energy assistance benefits under sub. (6).

SECTION 1049e. 49.80 (3) (e) 4 and 5 of the statutes are repealed.

SECTION 1049m. 49.80 (3) (e) 6 of the statutes is amended to read:

49.80 (3) (e) 6. If federal funds received under 42 USC 8621 to 8629 total less than ~~\$66,880,000~~ 90% of the amount received in federal fiscal year 1987, in federal fiscal year ~~1986~~ 1988 or in federal fiscal year ~~1987~~ 1989, the department shall submit a plan of expenditure under s. 16.54 (2) (b).

SECTION 1049s. 49.80 (3) (e) 7 of the statutes is created to read:

49.80 (3) (e) 7. By October 1 of each year, allocate funds budgeted but not spent and any funds remaining from previous fiscal years to benefits under sub. (6) or weatherization under sub. (9).

SECTION 1050. 49.80 (5) (b) of the statutes is amended to read:

49.80 (5) (b) A household with income which is not more than ~~105%~~ 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).

SECTION 1051. 49.80 (5) (c) of the statutes is repealed and recreated to read:

49.80 (5) (c) A household entirely composed of persons receiving aid to families with dependent children under s. 49.19, food stamps under 7 USC 2011 to 2029, or supplemental security income or state supplemental payments under 42 USC 1381 to 1383c or s. 49.177.

SECTION 1052. 49.80 (5) (d) of the statutes is amended to read:

49.80 (5) (d) A household with income within the limits specified under par. (b) that resides in public housing that is subsidized or administered by a municipality, a county, the state or the federal government 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~~ or the amount of the subsidy.

SECTION 1053. 49.80 (5) (e) of the statutes is repealed.

SECTION 1054. 49.80 (6) (a) of the statutes is amended to read:

49.80 (6) (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.

SECTION 1055. 49.80 (6) (b) of the statutes is repealed and recreated to read:

49.80 (6) (b) To a household eligible under sub. (5) (b), (c) or (d), a benefit amount based on a 4-tier payment system established under the state plan required under 42 USC 8624 (c) prepared by the department. The plan may provide for different benefit levels in counties participating in pilot programs.

SECTION 1056. 49.80 (6) (c) and (d) of the statutes are repealed.

SECTION 1058. 49.80 (8) of the statutes is amended to read:

49.80 (8) (title) CRISIS ASSISTANCE PROGRAM. A household eligible for a benefit under sub. (5) may also be eligible for a benefit payment to meet a weather-related or fuel supply shortage emergencies. A county crisis. The department under s. 46.215 (1) (a) or 46.22 (1) (b) 10 shall define the circumstances constituting an emergency a crisis for which a payment may be made and shall establish the amount of payment to an eligible household or individual. The department may delegate a portion of its responsibility under this subsection to a county department under s. 46.215 or 46.22.

The department, or its designee, shall make such inspections and investigations as are necessary to determine the conditions existing in each case and shall file written reports. The department may designate and use full-time city or county agencies as its agents in making the inspections and investigations, including such subsequent inspections and investigations as are deemed necessary or advisable. The department shall reimburse the city or county furnishing such service at the rate of \$25 per year per license issued in the municipality. Before renewing the license of any community-based residential facility, the department shall consider all formal complaints filed under sub. (2) (f) during the current license period and the disposition of each. The department shall promulgate rules defining "fit and qualified" for the purposes of this subdivision.

SECTION 1058i. 50.03 (4m) of the statutes is amended to read:

50.03 (4m) PROBATIONARY LICENSE. If the applicant has not been previously licensed under this subchapter or if the facility is not in operation at the time application is made, the department ~~may~~ shall issue a probationary license. A probationary license shall be valid for ~~120 days~~ 12 months from the date of issuance unless sooner suspended or revoked under sub. (5). Within 30 days prior to the termination of a probationary license, the department shall fully and completely inspect the facility and, if the facility meets the applicable requirements for licensure, shall issue a regular license under sub. (4). ~~If the department has conducted a full inspection prior to issuing a probationary license to any nursing home, the department is not required to conduct a 2nd full inspection within 30 days prior to termination of the nursing home's probationary license but shall inspect any condition found out of compliance during the initial inspection. The department may expand its 2nd inspection as it deems necessary. If the department finds that the facility does not meet the requirements for licensure but has made substantial progress toward meeting those requirements, the license may be renewed for a period not to exceed 120 days from the expiration date of the initial probationary license, the department may not issue a regular license under sub. (4).~~

~~SECTION 1058k. 50.04 (2) (c) of the statutes is created to read:~~

~~50.04 (2) (c) Beginning January 1, 1988, the department shall enforce nursing home minimum staffing requirements based on daily staffing levels.~~

SECTION 1058m. 50.04 (2r) of the statutes is created to read:

50.04 (2r) ADMISSIONS REQUIRING APPROVAL. Except in an emergency, no nursing home may admit as a resident an individual who is under age 65 and has mental illness, as defined in s. 51.01 (13), or who has a developmental disability, as defined in s. 51.01 (5),

Vetoed
in Part

~~SECTION 1058c. 50.02 (3) (e) of the statutes is created to read:~~

~~50.02 (3) (e) The department shall promulgate rules to establish standards for the provision of services by specialized nursing homes or specialized units of nursing homes which provide care and treatment for persons who are mentally ill and procedures for the granting of authorization by applying nursing homes to so operate.~~

Vetoed
in Part

~~SECTION 1058e. 50.03 (2) (c) of the statutes is amended to read:~~

~~50.03 (2) (c) The department may shall conduct both announced and unannounced inspections. Inspections of records not directly related to resident health, welfare or safety shall be made between the hours of 8 a.m. and 5 p.m. unless specifically authorized by the secretary. Any employe of the department who intentionally gives or causes to be given advance notice of an unannounced inspection to any unauthorized person is subject to disciplinary action ranging from a 5-day suspension without pay to termination of employment.~~

SECTION 1058g. 50.03 (4) (a) 1 of the statutes is amended to read:

50.03 (4) (a) 1. Except as provided in sub. (4m), the department shall issue a license if it finds the applicant to be fit and qualified, and if it finds that the facility meets the requirements established by this subchapter.

Vetoed
in Part

unless the county department under s. 46.23, 51.42 or 51.437 of the individual's county of residence has recommended the admission.

Vetoed
in Part

~~SECTION 1058t. 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 or of rules grouped under rules promulgated by the department 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 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 1059. 50.05 (7) (h) of the statutes is amended to read:

50.05 (7) (h) Shall have full power to direct and manage and to discharge employes of the facility, subject to any contract rights they may have. The receiver shall pay employes at the same rate of compensation, including benefits, that the employes would have received from the operator, except that the receiver shall compensate employes only for time actually worked during the period of receivership and shall not be responsible for reimbursement for vacations or periods of sick leave. The receiver may grant salary increases and fringe benefits to employes of a nursing home, in accord with the ~~nursing home reimbursement~~ facility payment formula under s. 49.45 (6m). Receivership does not relieve the operator of any obligation to employes not carried out by the receiver.

SECTION 1059p. 50.09 (1) (j) of the statutes is repealed and recreated to read:

50.09 (1) (j) Be transferred or discharged, and be given reasonable advance notice of any planned transfer or discharge, and an explanation of the need for and alternatives to the transfer or discharge. The facility to which the resident is to be transferred must have accepted the resident for transfer, except in a medical emergency or if the transfer or discharge is for nonpayment of charges following a reasonable opportunity to pay a deficiency. No person may be involuntarily discharged for nonpayment under this paragraph if the person meets all of the following conditions:

1. He or she is in need of ongoing care and treatment and has not been accepted for ongoing care and treatment by another facility or through community support services.

2. The funding of his or her care in the nursing home or community-based residential facility under s. 49.45 (6m) is reduced or terminated because of one of the following:

a. He or she requires a level or type of care which is not provided by the nursing home or community-based residential facility.

b. The nursing home is found to be an institution for mental diseases, as defined under 42 CFR 435.1009.

SECTION 1059v. 50.095 of the statutes is created to read:

50.095 Resident's right to know. (1) Every resident in or prospective resident of a nursing home has the right to know certain information from the nursing home which would aid an individual in assessing the quality of care provided by a nursing home.

(2) The department shall promulgate rules regarding the information to be provided under sub. (1), which rules may include requiring nursing homes to provide information, including all of the following:

(a) The direct care nursing home staffing ratio at each skill level on a daily basis and the percentage, if any, by which the ratio is above the staffing requirements of the department for the previous year.

(b) The staff replacement rates for full-time nursing staff and administrators for the previous year.

(c) Nursing home violations.

(3) Every nursing home shall provide a copy of the information required under sub. (1) to every resident of the nursing home and his or her guardian, if any, and to every prospective resident of the nursing home, if any. The information shall include a provision stating that a complete copy of the most recent report of inspection of the nursing home by the department will be provided by the department upon request for a minimal fee.

SECTION 1062. 50.50 (2) of the statutes is amended to read:

50.50 (2) "Establishment" means a hotel, tourist rooming house, bed and breakfast establishment, restaurant, temporary restaurant or vending machine commissary.

SECTION 1063. 50.50 (5) (intro.) and (c) of the statutes are amended to read:

50.50 (5) (intro.) "Restaurant" means any building, room or place where meals are prepared or served or sold to transients or the general public, and all places used in connection with it and includes any public or private school lunchroom for which food service is provided by contract. "Meals" does not include soft drinks, ice cream, milk, milk drinks, ices and confections. "Restaurant" does not include:

(c) Any public or private school lunchroom for which food service is directly provided by the school, or a private individual selling foods from a movable or temporary stand at public farm sales.

SECTION 1064. 50.50 (5m) of the statutes is created to read:

50.50 (5m) "Temporary restaurant" means a restaurant that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.

SECTION 1065. 50.51 (1) (a) of the statutes is amended to read:

Vetoed
in Part

50.51 (1) (a) No person may conduct, maintain, manage or operate a hotel, restaurant, temporary restaurant, tourist rooming house, vending machine commissary or vending machine as defined in s. 50.50 if the person has not been issued an annual permit by the department or by a village, city or county ~~or a city~~ which is granted agent status under s. 50.535 (2).

SECTION 1066. 50.51 (1) (c) of the statutes is created to read:

50.51 (1) (c) No permit may be issued under this section until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the permit applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees, late fees and processing charges that are specified by rules promulgated by the department. If the permit applicant fails to pay all applicable fees, late fees and processing charges within 15 days after the applicant receives notice of the insufficiency, the permit is void. In an appeal concerning voiding of a permit under this paragraph, the burden is on the permit applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed to be operation without a permit.

SECTION 1067. 50.51 (2) of the statutes is repealed and recreated to read:

50.51 (2) Except as provided in sub. (3), a separate permit is required for each establishment.

SECTION 1068. 50.51 (4) of the statutes is amended to read:

50.51 (4) No permit is transferable from one premise to another or from one person to another, except that a permit for a "temporary restaurant" as defined by the department temporary restaurant may be transferred to a premise other than that for which it was issued if, prior to operation of the temporary restaurant at the new premise, approval of the new premise is secured from a department representative or, if the new premise is located in a village, city or county granted agent status for the premise under s. 50.535 (2), from the village, city or county.

SECTION 1069. 50.51 (6) of the statutes is repealed.

SECTION 1070. 50.515 (1) of the statutes is amended to read:

50.515 (1) The department or a village, city or county granted agent status under s. 50.535 (2) may not grant a permit to a person intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, restaurant or vending machine commissary or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, restaurant or vending machine commissary without a preinspection. This

section does not apply to a "temporary restaurant" as defined by rule of the department temporary restaurant.

SECTION 1070m. 50.518 of the statutes is created to read:

50.518 Average annual surveys. The department or a village, city or county granted agent status under s. 50.535 (2) shall annually make a number of inspections of restaurants in this state that shall equal the number of restaurants for which annual permits are issued under s. 50.51 (1) (a).

SECTION 1071. 50.53 (1) of the statutes is repealed and recreated to read:

50.53 (1) Except as provided in ~~sub. (3) and s. 50.535 (2) (d) and (e)~~, the annual permit fees under this section are as follows:

- (a) For a hotel or motel:
 1. With 5 to 30 rooms, \$85.
 2. With 31 to 99 rooms, \$120.
 3. With 100 or more rooms, \$150.
- (b) For a tourist rooming house, \$70.
- (c) For a restaurant:
 1. That serves only individually wrapped, hermetically sealed single food servings supplied by a licensed processor, \$45.
 2. That serves meals prepared from raw, canned, dried, packaged or frozen foods, \$105.
 3. That has an additional, physically separate food holding, serving or preparation area, for each such area, \$30.
- (d) For a temporary restaurant, ~~that relocates fewer than 6 times in one year, \$40.~~
- ~~2. That relocates at least 6 times in one year, \$100.~~
- (e) For a vending machine operator, \$50.
- (f) For a vending machine, \$5.
- (g) For a vending machine commissary, \$110.

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 1072. 50.53 (1m) of the statutes is created to read:

50.53 (1m) In addition to the fee under sub. (1) or (1g), a penalty fee of \$20 is required for renewal of each permit if the annual fee under sub. (1) or the biennial fee under sub. (1g) is not paid prior to expiration of the permit.

SECTION 1073. 50.53 (2m) of the statutes is renumbered 50.53 (1g) and amended to read:

50.53 (1g) ~~The Beginning on July 1, 1987, except as provided in sub. (4) and s. 50.535 (2) (d) and (e), the biennial permit fee for a bed and breakfast establishment is \$25 \$75.~~

Vetoed in Part

~~SECTION 1074g. 50.53 (4) of the statutes is created to read:~~

~~50.53 (4) Beginning July 1, 1988, the department may promulgate rules increasing or decreasing the fees under this section.~~

Vetoed in Part

SECTION 1074m. 50.535 (title) and (1) of the statutes are amended to read:

50.535 (title) Agent status for villages, cities and counties. (1) **VENDING OPERATIONS.** In the administration and enforcement of this subchapter, the department may use villages, cities or counties as its agents in making inspections and investigations of vending machine commissaries, vending machine operators and vending machines if the village, city or county has a population greater than 5,000. When the designation is made and the services are furnished, the department shall reimburse the village, city or county furnishing the service at the rate of 80% of the net license fee per license per year issued in the municipality. No city or village may be designated on or after the effective date of this subsection [revisor inserts date], as an agent under this subsection if the county in which the city or village is located is designated as an agent. If a county is designated before, on or after the effective date of this subsection [revisor inserts date], as an agent under this subsection, the designation only applies to those cities, villages and towns in the county which are not designated as an agent under this subsection.

SECTION 1075m. 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 village, city or county, if the village, city or county has a population greater than 5,000, which designates the village, city or county as its agent in issuing permits to and making investigations or inspections of hotels, restaurants, temporary 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, In a village, city or county without agent status, the department may issue permits, collect permit fees under s. 50.53 and make investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools. If the department designates a village, city or county as its agent, the department, village, city or county may require no permit for the same operations other than the permit issued by the village, 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 village, city and county agencies are granted agent status under this subsection and under s. 97.41. Except as otherwise provided by the department, a village, city or county granted agent status shall regulate all types of establishments for which this subchapter permits the department to

delegate regulatory authority. No village or city may be designated on or after the effective date of this paragraph [revisor inserts date], as an agent under this paragraph if the county in which the village or city is located is designated as an agent. If a county is designated before, on or after the effective date of this paragraph [revisor inserts date], as an agent under this paragraph, the designation only applies to those villages, cities and towns in the county which are not designated as an agent under this subsection.

SECTION 1075r. 50.535 (2) (d) of the statutes is amended to read:

50.535 (2) (d) Except as provided in par. (dm), a village, city or county granted agent status under this subsection shall establish and collect the permit fee for each type of establishment. The village, 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 permits. No fee may exceed the village's, city's or county's reasonable costs of issuing permits to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under par. (e). A village, city or county granted agent status under this subsection or under s. 97.41 may issue a single permit and establish and collect a single fee which authorizes the operation on the same premises of more than one type of establishment for which it is granted agent status under this subsection or under s. 97.41.

SECTION 1076g. 50.535 (2) (e) of the statutes is amended to read:

50.535 (2) (e) The department shall establish state fees for its costs related to setting standards under this subchapter and s. 140.05 (17) and monitoring and evaluating the activities of, and providing education and training to, agent cities and counties. Agent cities and counties shall include the state fees in the permit fees established under par. (d), collect the state fees and reimburse the department for the state fees collected. For each type of establishment, the state fee may not exceed 20% of the permit fees charged under ss. 50.53 and 140.05 (17) ~~in cities and counties where the department issues permits. Any increase or decrease in the state fees that results from an increase or decrease in fees required under s. 50.53 or 140.05 (17) that is promulgated by the department by rule may not be initially implemented until the calendar year that begins at least 6 months after the effective date of the rules.~~

Vetoed
in Part

SECTION 1076m. 50.535 (2) (f) and (h) of the statutes are amended to read:

50.535 (2) (f) If, under this subsection, a village, city or county becomes an agent or its agent status is discontinued during a permittee's permit year, the department and the village, city or county shall divide any permit fee paid by the permittee for that permit year according to the proportions of the permit year

occurring before and after the village's, city's or county's agent status is granted or discontinued. No additional fee may be required during the permit year due to the change in agent status.

(h) This subsection does not limit the authority of the department to inspect establishments in villages, cities and counties where agent status is granted if it inspects in response to an emergency, for the purpose of monitoring and evaluating the village's, city's or county's licensing, inspection and enforcement program or at the request of the village, city or county.

SECTION 1077. 50.55 of the statutes is amended to read:

50.55 Rules of health and safety. Every hotel, tourist rooming house, bed and breakfast establishment, restaurant, temporary restaurant, vending machine commissary and vending machine shall be operated and maintained with a strict regard to the public health and safety and in conformity with this subchapter and the rules and orders of the department.

SECTION 1077m. 50.57 (title) of the statutes is amended to read:

50.57 (title) Powers of department, villages, cities and counties.

SECTION 1078. 50.57 (1) (e) of the statutes is amended to read:

50.57 (1) (e) Hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in a village, city or county not granted agent status under s. 50.535 appeals to the department alleging that a permit fee for a hotel, restaurant, temporary restaurant, tourist rooming house, campground, camping resort, recreational or educational camp, mobile home park or public swimming pool exceeds the permit issuer's reasonable costs of issuing permits to, making investigations and inspections of, and providing education, training and technical assistance to the establishment.

SECTION 1078b. 50.57 (2) of the statutes is amended to read:

50.57 (2) A village, city or county ~~or city~~ designated as an agent under s. 50.535 (2) may exercise the powers specified in sub. (1) (a) to (d), consistent with s. 50.535 (2) (g).

SECTION 1078d. 50.70 of the statutes is amended to read:

50.70 Suspension or revocation of permit. The department or a village, city or county ~~or city~~ designated as an agent under s. 50.535 (2) may refuse or withhold issuance of a permit or may suspend or revoke a permit for violation of this subchapter or any rule, ordinance or order of the department, village, city or county ~~or city~~.

SECTION 1078g. 51.035 of the statutes is repealed.

SECTION 1078r. 51.038 of the statutes is created to read:

51.038 Outpatient mental health clinic certification. If a facility that provides mental health services on an

outpatient basis holds current accreditation from the council on accreditation of services for families and children, the department may accept evidence of this accreditation as equivalent to the standards established by the department, for the purpose of certifying the facility for the receipt of funds for services provided as a benefit to a medical assistance recipient under s. 49.46 (2) (b) 6. f, a community aids funding recipient under s. 51.423 (2) or as mandated coverage under s. 632.89.

SECTION 1079. 51.05 (5) of the statutes is created to read:

51.05 (5) **SCHOOL ACTIVITIES.** If an individual over the age of 2 and under the age of 22 and eligible for schooling under ss. 115.76 (2) and 115.85 is committed, admitted or transferred to or is a resident of the Mendota mental health institute or Winnebago mental health institute, the individual shall attend a school program operated by the applicable mental health institute or a school outside the applicable mental health institute which is approved by the department of public instruction. A school program operated by the Mendota mental health institute or Winnebago mental health institute shall be under the supervision of the department of public instruction and shall meet standards prescribed by that agency.

SECTION 1079g. 51.20 (1) (ar) 2 of the statutes is amended to read:

51.20 (1) (ar) 2. This paragraph does not apply to petitions filed under this section on or after July 1, 1987 1989, or the effective date of the ~~1987-89~~ 1989-91 biennial budget act, whichever is later.

SECTION 1079m. 51.40 of the statutes is created to read:

51.40 Residence of developmentally disabled or chronically mentally ill adults. (1) **DEFINITIONS.** In this section:

(a) "Agency of a county department" means a public or private organization with which a county department contracts for provision of services under ch. 46, 51 or 55.

(b) "Arrange or make placement" means perform any action beyond providing basic information concerning the availability of services, facilities or programs in a county to an individual or the individual's family.

(c) "Capable of indicating intent" means able to express by words or other means an informed choice of a place to live.

(d) "County department" means a county department under s. 46.23, 51.42 or 51.437.

(e) "County of responsibility" means the county responsible for funding the provision of services under ch. 46, 52 or 55 to an individual.

(f) "Guardian" means a guardian of the person appointed by a court under ch. 880.

(g) "Incapable of indicating intent" means one of the following:

1. The status of an individual who has had a guardian appointed under ch. 880, unless the court made a specific finding under s. 880.33 (3) that the individual is competent to make an informed choice of a place to live.

2. The status of an individual for whom there is substantial evidence, based on documentation from a licensed physician or psychologist who has personally examined the individual and who has expertise concerning the type of mental disability evidenced by the individual, that the individual is incapable of indicating intent.

(h) "Nursing home" has the meaning specified under s. 50.01 (3), except that "nursing home" does not include a facility that is operated directly by the department.

(i) "Parent" has the meaning specified under s. 48.02 (13).

(j) "State facility" means a state mental health institute, center for the developmentally disabled, prison as specified in s. 53.01 or a facility that is operated directly by the department.

(2) DETERMINATION OF RESIDENCE. For purposes of determining responsibility for funding the provision of services under chs. 46, 51 and 55, the county of residence of individuals aged 18 or older with developmental disability or chronic mental illness in state facilities or nursing homes shall be determined as follows:

(a) *Commitment or protective placement.* If an individual is under a court order of commitment under this chapter or protective placement under s. 55.06, the individual remains a resident of the county in which he or she has residence at the time the commitment or protective placement is made. If the court makes no specific finding of a county of residence, the individual is a resident of the county in which the court is located.

(b) *Placement by a county.* Except for the provision of emergency services under s. 51.15, 51.42 (1) (b), 51.437 (4) (c), 51.45 (11) and (12) or 55.06 (11), if a county department or an agency of a county department arranges or makes placement of the individual into a state facility or nursing home, the individual is a resident of the county of that county department. Any agency of the county department is deemed to be acting on behalf of the county department in arranging or making placement.

(c) *Individuals in state facilities.* Except as provided in pars. (a), (b) and (f), an individual who is in a state facility is a resident of the county in which he or she was a resident at the time the admission to the state facility was made. This paragraph may not be applied to change residence from a county, other than the county in which the facility is located, which has accepted responsibility for or provided services to the individual prior to the effective date of this paragraph [revisor inserts date].

(d) *Individuals in nursing homes; admission after effective date of this paragraph* [revisor inserts date]. An individual in a nursing home who was admitted to the nursing home on or after the effective date of this paragraph [revisor inserts date], is a resident of the county which approved the admission under s. 50.04 (2r).

(e) *Individuals in nursing homes before the effective date of this paragraph* [revisor inserts date]. 1. Except as provided in pars. (a) and (b) and subd. 2, an individual in a nursing home on the effective date of this paragraph [revisor inserts date], is presumed to be a resident of the county in which the individual is physically present. The presumption of residence is overcome only by substantial evidence which clearly establishes residence in another county under subd. 2 or 3.

2. An individual is a resident of a county other than the county in which he or she is physically present as determined under subd. 1 if one of the following conditions are met:

a. The individual is capable of indicating intent or has a guardian of the person; the individual had an established residence in the county other than the county in which he or she is physically present prior to entering a nursing home; the individual or the individual's guardian, if any, indicates an intent that the individual will return to the county other than the county in which he or she is physically present when the purpose of entering a nursing home has been accomplished or when needed care and services can be obtained in the other county; and the individual, at a time when capable of indicating intent, or a guardian for the individual, has made no clearly documented expression to a court or county department of an intent to establish residence elsewhere since leaving the county other than the county in which he or she is physically present.

b. The individual is incapable of indicating intent as determined by the county department, and has no guardian, the individual ordinarily resides in the other county, and the individual is in the county in which he or she is physically present for a temporary purpose that is expected to last for no more than one year, after which the individual is expected to return to the county other than the county in which he or she is physically present.

c. The county other than the county in which he or she is physically present accepts responsibility for provision of services for the individual, and the individual or the individual's guardian, if any, agrees to residence in the county other than the county in which he or she is physically present.

d. The county other than the county in which he or she is physically present has accepted responsibility for or provided services to the individual prior to the effective date of this subdivision [revisor inserts date].

e. The individual is incapable of indicating intent; the individual was living in the county other than the county in which he or she is physically present outside of a nursing home or state facility on December 1, 1982, or during a period of time after December 1, 1982, under circumstances which established residence in the county other than the county in which he or she is physically present; and the county other than the county in which he or she is physically present was the last county in which the individual had residence while living outside of a nursing home or state facility.

3. Unless another county accepts the person as a resident or residence is determined to be in another county under par. (g), the county in which the individual is physically present shall be the individual's county of residence.

(f) *Exception; county of guardian's residence.* Notwithstanding pars. (a) to (e), an individual in a nursing home or state facility who is incapable of indicating intent and has a guardian of the person may establish residence in the county of residence of the guardian if all of the following are true:

1. The guardian is a parent or sibling of the individual.

2. The state facility or nursing home is located in the guardian's county of residence or the guardian indicates an intent that the individual reside in the guardian's county of residence when the purpose of entering the state facility or nursing home has been accomplished or when needed care and services can be obtained in that county.

(g) *Determination of county of responsibility.* 1. An individual, an interested person on behalf of the individual, or any county may request that the department make a determination of the county of responsibility of the individual. Within 10 days after receiving the request, the department shall provide written notice to the individual, to the individual's guardian, if any, and to all potentially responsible counties that a determination of county of responsibility shall be made and that written information and comments may be submitted within 30 days after the date on which the notice is sent.

2. The department shall review information submitted under subd. 1 and make such investigation as it deems proper. Within 30 days after the end of the period for submitting information, the department shall make a decision as to residence, and send a copy of the decision to the individual and to all involved counties. The decision may be appealed under s. 227.44 by the individual or the county determined to be responsible.

3. Pending a determination under subd. 2, a county department which has been providing services to the individual shall continue to provide services if necessary to meet the individual's needs. If no county department is currently providing services, the county in which the client is physically present shall provide necessary services pending the determination.

4. A determination under subd. 2 may provide for a period of transitional services to assure continuity of services by specifying a date until which the county department which has been providing services shall continue to do so.

5. The decision of the department under subd. 2 is binding on the individual and on any county which received notice of the proceeding. Except as provided in the determination, the county determined to be the county of responsibility shall act as the county of responsibility immediately after receiving notice of the determination, and during the pendency of any appeal of the determination that is brought under ch. 227.

SECTION 1095. 51.42 (3) (ar) 3 of the statutes is amended to read:

51.42 (3) (ar) 3. Plan for and establish a community developmental disabilities program to deliver the services required under s. 51.437 if, under s. 51.437 (4g) (b), the county board of supervisors in a county with a single-county department of community programs or the county boards of supervisors in counties with a multicounty department of community programs transfer the powers and duties of the county department under s. 51.437 to the county department of community programs. The county board of supervisors in a county with a single-county department of community programs and the county boards of supervisors in counties with a multicounty department of community programs may designate the county department of community programs to which these powers and duties have been transferred as the administrative agency of the long-term support community options program under s. 46.27 (3) (b) 1 and 5 and the community integration programs under ss. 46.275 and 46.277 and 46.278.

SECTION 1096. 51.42 (3) (ar) 12 of the statutes is amended to read:

51.42 (3) (ar) 12. If participating in the program under s. 49.45 (6) or ~~49.46 (2) (e)~~, provide case management and payment authorization for medical assistance recipients who need medical day treatment, mental health services or alcohol and other drug abuse services covered under s. 49.46 (2) as long as a federal waiver is in effect authorizing the department of health and social services to restrict free choice of provider. In this subdivision, "case management" means prior approval for provision of services based on appropriateness and cost-effectiveness, and monitoring provision of services to avoid duplication and overutilization.

SECTION 1096m. 51.42 (3) (ar) 13 of the statutes is created to read:

51.42 (3) (ar) 13. Except in an emergency, review and approve or disapprove all admissions to nursing homes of mentally ill persons under age 65 who are residents of the county.

SECTION 1099. 51.42 (3) (as) 2 of the statutes is amended to read:

51.42 (3) (as) 2. If a ~~state hospital~~ mental health institute has provided a county department of community programs with service, the department of health and social services shall regularly bill the county department of community programs, except as provided under subd. 2m. If collections for care exceed current billings, the difference shall be remitted to the county department of community programs through the appropriation under s. 20.435 (2) (gk). For care provided on and after February 1, 1979, the department of health and social services shall adjust collections from medical assistance to compensate for differences between specific rate scales for care charged to the county department of community programs and the average daily medical assistance reimbursement rate. Payment shall be due from the county department of community programs within 60 days of the billing date subject to provisions of the contract. If any payment has not been received within 60 days, the department of health and social services shall deduct all or part of the amount from any payment due from the department of health and social services to the county department of community programs.

SECTION 1100. 51.42 (3) (as) 2m of the statutes is created to read:

51.42 (3) (as) 2m. The department of health and social services may bill the county department of community programs under subd. 2 for inpatient services provided on or after October 1, 1987, by a mental health institute for individuals under 21 years of age or for individuals under 22 years of age who are receiving the services immediately prior to reaching age 21, only if the person lacks full means of payment, including payment from medical assistance and other sources.

SECTION 1100g. 51.42 (5) (m) of the statutes is created to read:

51.42 (5) (m) Administer funds provided under s. 49.45 (6g) in accordance with s. 49.45 (6g) (c).

SECTION 1100r. 51.42 (6m) (o) of the statutes is created to read:

51.42 (6m) (o) Administer funds provided under s. 49.45 (6g) in accordance with s. 49.45 (6g) (c).

SECTION 1100t. 51.421 (2) of the statutes is amended to read:

51.421 (2) SERVICES. If funds are provided, and within the limits of the availability of funds provided under ~~subs. (4) and (5) and~~ s. 51.423 (2), each county department under s. 51.42 shall establish a community support program. Each community support program shall use a coordinated case management system and shall provide or assure access to services for persons with chronic mental illness who reside within the community. Services provided or coordinated through a community support program shall include assessment, diagnosis, identification of persons in need of services, case management, crisis intervention, psychiatric treatment including medication supervision, counseling and psychotherapy, activities of daily liv-

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ing, psychosocial rehabilitation which may include services provided by day treatment programs, client advocacy including assistance in applying for any financial support for which the client may be eligible, residential services and recreational activities. Services shall be provided to an individual based upon his or her treatment and psychosocial rehabilitation needs.

SECTION 1100u. 51.421 (3) (a) of the statutes is amended to read:

51.421 (3) (a) Promulgate rules establishing standards for the provision of community support programs by county departments under s. 51.42. The department shall establish standards that ensure that providers of services meet federal standards for certification of providers of community support program services under the medical assistance program, 42 USC 1396 to 1397e. The department shall develop the standards in consultation with representatives of county departments under s. 51.42, elected county officials and consumer advocates.

~~SECTION 1100v. 51.421 (4) of the statutes is created to read:~~

~~51.421 (4) GRANTS. From the appropriation under s. 20.435 (4) (bb), the department shall award grants to county departments under s. 51.42 for the purpose of assisting community support programs in becoming eligible for certification as medical assistance providers under s. 49.45 (2) (a) 11. In awarding grants under this subsection, the department shall give first priority to county departments under s. 51.42 serving geographical areas in which no community support program is eligible for certification as a medical assistance provider. A county department under s. 51.42 may apply to the department for a grant under this subsection before November 1, 1987. The department shall award the grants on or before January 31, 1988.~~

~~SECTION 1100vm. 51.421 (5) of the statutes is created to read:~~

~~51.421 (5) AIDS TO COUNTY DEPARTMENTS. (a) From the appropriation under s. 20.435 (4) (bc), the department shall, each January, beginning in 1989, allocate funds for community support programs under this section to county departments under s. 51.42 as follows:~~

~~1. A base allocation of \$2,500 for each county served by a county department.~~

~~2. The remainder of the funds based on the performance of a county department in providing community support program services in each county it serves, as determined under par. (b).~~

~~(b) In allocating amounts under par. (a) 2, the department shall give equal weight to each of the following performance factors as they apply to each county served by a county department under s. 51.42, and may consider other relevant performance factors:~~

~~1. The higher the number of chronically mentally ill persons in the county who received services from community support programs during the previous calendar~~

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dar year, the more funding the department shall allocate to the county department.

2. The higher the ratio of the per capita amounts expended during the previous calendar year by the county department for community support programs in the county, regardless of funding source, compared to the average per capita expenditures during the previous calendar year by all county departments under s. 51.42 for community support programs, the more funding the department shall allocate to the county department.

3. The higher the ratio of the per capita amounts expended during the previous calendar year by the county department for inpatient psychiatric treatment for mentally ill persons in the county, regardless of funding source, to the average per capita expenditures during the previous calendar year by all county departments under s. 51.42 for inpatient psychiatric treatment for mentally ill persons, the lower the amount of funding the department shall allocate to the county department.

SECTION 1100w. 51.421 (6) of the statutes is created to read:

51.421 (6) MAINTENANCE OF EFFORT. No county may use funds provided under sub. (4) or (5) to replace federal, state or county funds for community support program services previously provided, as indicated by the county budget or by actual expenditures for the calendar year prior to the county's initial receipt of funds under sub. (4) or (5), except to the extent that federal or state funding available for these services decreases.

SECTION 1101. 51.423 (2) of the statutes is amended to read:

51.423 (2) From the appropriations under s. 20.435 (4) (b) and (o), the department shall allocate the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under ~~1985 Wisconsin Act 29, section 3023 (3) s. 46.40~~. County matching funds are required for the allocations under ~~1985 Wisconsin Act 29, section 3023 (3) (a), (bm), (g), (h), (i), (km), (L) and (qr)~~. The s. 46.40 (1), (2), (5) to (9) and (11). Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Beginning January 1, 1988, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). 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 allo-

cated 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. ~~The secretary shall promulgate rules which govern the eligibility of single county and multicounty departments for grants-in-aid under this section.~~

SECTION 1103. 51.423 (8) of the statutes is repealed.

SECTION 1103ab. 51.437 (4m) (L) of the statutes is created to read:

51.437 (4m) (L) Except in an emergency, review and approve or disapprove all admissions to nursing homes of persons with a developmental disability who are residents of the county.

~~SECTION 1103ag. 51.62 (2) (a) 1 of the statutes is amended to read:~~

~~51.62 (2) (a) 1. A state agency, except for the receipt of funds allocated under s. 20.432 (2) (a).~~

~~SECTION 1103ah. 51.62 (3) (a) 4 of the statutes is created to read:~~

~~51.62 (3) (a) 4. Provide advocacy services for persons with developmental disabilities or mental illness who reside in or are relocated to the community from a facility rendering care or treatment.~~

~~SECTION 1103ai. 51.62 (3m) of the statutes is created to read:~~

~~51.62 (3m) From the appropriation under s. 20.432 (2) (a), the protection and advocacy agency shall provide advocacy services for persons with developmental disabilities who reside in or are relocated to the community from a state center for the developmentally disabled, a nursing home, an intermediate care facility for the mentally retarded or a community-based residential facility.~~

SECTION 1103ap. 53.11 (1) of the statutes is amended to read:

53.11 (1) The warden or superintendent shall keep a record of the conduct of each inmate, specifying each infraction of the rules. Except as provided in subs. (1m) and, (7) and (10), each inmate is entitled to mandatory release on parole by the department. The mandatory release date is established at two-thirds of the sentence. Any calculations under this subsection or sub. (2) (b) resulting in fractions of a day shall be rounded in the inmate's favor to a whole day.

SECTION 1103apg. 53.11 (10) of the statutes is created to read:

53.11 (10) An inmate subject to an order under s. 48.366 is not entitled to mandatory release and may be released or discharged only as provided under s. 48.366.

SECTION 1103apm. 53.17 of the statutes is renumbered 53.17 (1) and amended to read:

53.17 (1) When any inmate is received into any state penal institution the department shall register the date of admission, the name, age, nativity and nationality and such other facts as may be obtained as to

Vetoed
in Part

parentage, education and previous history and environments of such inmate.

(2) Entries shall be made on the register of the progress made by each inmate and his parole and his condition at the time of parole and the progress made by him while on parole. This subsection does not apply to inmates subject to an order under s. 48.366.

SECTION 1103app. 53.17 (3) of the statutes is created to read:

53.17 (3) If the inmate is subject to an order under s. 48.366, the department shall keep a record of the inmate's behavior for use in proceedings under s. 48.366 (5) and (6).

SECTION 1103bf. 53.18 (7) of the statutes is created to read:

53.18 (7) Except as provided in s. 973.013 (3m), the department shall keep all prisoners under 16 years of age in secured juvenile correctional facilities, but may transfer them to adult correctional institutions after they attain 16 years of age.

SECTION 1141m. 53.255 of the statutes is created to read:

53.255 Interstate corrections compact; additional applicability. "Inmate", as defined under s. 53.25 (2) (a), includes persons subject to an order under s. 48.366 who are confined to a state prison under s. 53.01.

SECTION 1142. 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 subs. 1 and 2. ~~If \$400,000~~ \$450,000 for any fiscal year ~~1985-86 or \$400,000 for fiscal year 1986-87~~ is insufficient to provide complete reimbursement at that rate, the department shall prorate the payments to counties for that fiscal year. The department shall not reimburse a county unless that county informs the department of the amount of reimbursement to which it is entitled under this subsection no later than September 1 of the fiscal year following the fiscal year for which reimbursement is requested.

SECTION 1142g. 53.38 of the statutes is amended to read:

53.38 Medical care of prisoners. (1) If a prisoner needs medical or hospital care or is intoxicated or incapacitated by alcohol the sheriff or other keeper of the jail shall provide appropriate care or treatment and may transfer ~~him~~ the prisoner to a hospital or to an approved treatment facility under s. 51.45 (2) (b) and (c), making provision for the security of the prisoner.

(2) The prisoner is liable for the costs of medical and hospital care outside of the jail shall (if the prisoner is unable to pay for it) the costs, the county shall pay the costs in the case of persons held under the state criminal laws or for contempt of court, be borne by the county and a municipality shall pay the

costs in the case of persons held under municipal ordinance by the municipality.

(4) The governmental unit paying ~~such~~ the costs of medical or hospital care under this section may collect the value of the same from ~~him or his~~ the prisoner or the prisoner's estate as provided for in s. 49.08.

SECTION 1142r. 53.38 (3) of the statutes is created to read:

53.38 (3) The maximum amount that a governmental unit may pay for the costs of medical or hospital care under this section is limited for that care to the amount payable by medical assistance under ss. 49.43 to 49.47 for care for which a medical assistance rate exists. No provider of medical or hospital care may bill a prisoner under sub. (1) for the cost of care exceeding the amount paid under this subsection by the governmental unit. If no medical assistance rate exists for the care provided, there is no limitation under this subsection.

SECTION 1142t. 53.46 of the statutes is created to read:

53.46 Jail assessment. (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for state laws or municipal or county ordinances involving nonmoving traffic violations, the court, in addition, shall impose a jail assessment in an amount of one percent of the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved, the court shall determine the jail assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail assessment in proportion to the suspension.

(b) If a fine or forfeiture is imposed by a court of record, after a determination by the court of the amount due for the jail assessment, the clerk of the court shall collect and transmit the jail assessment to the county treasurer as provided in s. 59.395 (5m). The county treasurer shall place the amount in the county jail fund as provided in s. 59.20 (5m).

(c) If a fine or forfeiture is imposed by a municipal court, after a determination by the court of the amount due for the jail assessment, the court shall collect and transmit the jail assessment to the county treasurer under s. 800.10 (2). The county treasurer shall place the amount in the county jail fund as provided in s. 59.20 (5m).

(d) If any deposit of bail is made for a noncriminal offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the jail assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of the jail assessment shall be transmitted to the county treasurer under this section. If bail is returned, the jail assessment shall also be returned.

(2) Counties may make payments for construction, remodeling, repair or improvement of county jails from county jail funds.

Vetoed in Part (3) This section applies only to violations occurring on or after October 1, 1987, and before October 1, 1988.

SECTION 1157m. Chapter 54 of the statutes is repealed.

SECTION 1160. 56.01 (9) of the statutes is amended to read:

56.01 (9) STAFF SERVICES. The secretary shall appoint the director of prison industries outside the classified service. The department shall provide other staff services to the prison industries board within the classified service.

Vetoed in Part SECTION 1181c. 57.06 (1r) of the statutes is created to read:

57.06 (1r) (a) In this subsection, "special action release program" means any program designed to reduce crowded conditions in state prisons by releasing prisoners on parole using a procedure other than mandatory release under s. 53.11 or release pursuant to a recommendation by the parole board.

(b) If the department uses a special action release program to release prisoners on parole, the department shall promulgate rules for the administration of the program. Any such rules shall include all of the following:

1. Departmental procedure for the administration of the program.
2. Any eligibility requirements excluding the minimum time to be served on any sentence.
3. Conditions of release which may be established for a released prisoner. This subdivision does not preclude the department from providing specific conditions of release, not included in the rule, to be applicable to a prisoner.
4. A procedure for notifying, prior to making a decision concerning the release of a prisoner, any interested office of the district attorney which presented the prisoner or judge who tried the prisoner.
5. A procedure for notifying the municipal police department and the county sheriff for the area where the prisoner will be residing.

(c) The department may grant a release under this subsection only to prisoners who are eligible for parole under sub. (1) or (1m).

SECTION 1181dp. 57.15 of the statutes is created to read:

57.15 Nonapplicability of chapter. This chapter does not apply to a person who is subject to an order under s. 48.366.

Vetoed in Part SECTION 1195m. 59.07 (33m) of the statutes is created to read:

59.07 (33m) ECONOMIC DEVELOPMENT FUNDING. Appropriate and loan money to nonprofit organizations to install property improvements including but not limited to roadways, sewers, water mains, storm sewers and sidewalks.

SECTION 1195p. 59.07 (42) of the statutes is amended to read:

59.07 (42) RESCUE EQUIPMENT. Appropriate money for the purchase of boats and other equipment necessary for the rescue of human beings and the recovery of human bodies from waters of which the county has jurisdiction under s. 2.04 and charge a reasonable fee for the use of such boats and other equipment in non-life-threatening situations.

Vetoed in Part

SECTION 1195r. 59.07 (140) of the statutes is amended to read:

59.07 (140) INLAND LAKE PROTECTION AND REHABILITATION. May establish an inland lake protection and rehabilitation program and may create, develop and implement inland lake protection and rehabilitation projects similar to projects which an inland lake protection and rehabilitation district is authorized to create, develop and implement under ch. 33, except that no county may establish or create such a program or project within the Yahara watershed as defined in s. 33.01 (11). As used in this subsection "lake rehabilitation", "program", "project" and "lake" have the meanings specified under s. 33.01 (4), (6), (7) and (8), respectively.

Vetoed in Part

SECTION 1196m. 59.20 (5) (b) of the statutes is amended to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 29.997 for the natural resources assessment surcharge and the amount required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 1196p. 59.20 (5m) of the statutes is created to read:

59.20 (5m) Deposit all moneys for jail assessments received under s. 53.46 (1) in a county jail fund and make payments from the fund for purposes of s. 53.46 (2) on order of the county board under sub. (2).

SECTION 1197. 59.39 (9m) of the statutes is amended to read:

59.39 (9m) Keep a record of all payments and arrearages in payments ordered by the court under ss. 767.25 to 767.265, 767.29 (1), 767.51 and 767.65. The If the department of health and social services oper-

ates a data system relating to those payments and arrearages, the clerk may contract with the department of health and social services for the department shall use that system to keep this record.

SECTION 1197m. 59.395 (5) of the statutes is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state's percentage of the fees required to be paid on each civil action, criminal action and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1197p. 59.395 (5m) of the statutes is created to read:

59.395 (5m) Pay monthly to the county treasurer the amounts required by s. 53.46 (1) for the jail assessment surcharge. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1203g. 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 or a person authorized by 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 county shall obtain the consent of the department of transportation to such the development and use shall be obtained prior to construction or initiation of such that use, and the. The state shall receive a share of the rentals or sale price derived from such the 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 or the person authorized by 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 or the person authorized by 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 1203h. 59.965 (2) (d) 7 of the statutes is created to read:

59.965 (2) (d) 7. Before the county authorizes any person to use or develop lands under subd. 6, the county shall make a reasonable effort to determine whether any public institution of higher education in the vicinity of the lands has demonstrated to the county an interest in the use or development of the lands. The county shall give preference to proposals for the use or development of lands under subd. 6 which are submitted by a public institution of higher education in the vicinity of those lands and which provide for reasonable payment to the county under a lease of or other authority to use or develop those lands.

Vetoed
in Part

Vetoed
in Part

~~SECTION 1204b. 59.97 (15) (a) of the statutes is amended to read:~~

~~59.97 (15) (a) No Before July 1, 1991, no community living arrangement in a city that is not a 1st class city that has capacity for 5 or more persons being served by the program and no community living arrangement in a 1st class city may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by an ordinance of a city, town or village, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local municipality. Two community living arrangements may be adjacent if the local municipality authorizes that arrangement and if both facilities comprise essential components of a single program.~~

Vetoed
in Part

~~SECTION 1204c. 59.97 (15) (am) of the statutes is created to read:~~

~~59.97 (15) (am) After June 30, 1991, no community living arrangement may be established within 2,500 feet, or any lesser distance established by an ordinance of a city, town or village, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local municipality. Two community living arrangements may be adjacent if the local municipality authorizes that arrangement and if both facilities comprise essential components of a single program.~~

~~SECTION 1204d. 59.97 (16) of the statutes is amended to read:~~

Vetoed
in Part

Vetoed
in Part

~~59.971 (6) If any county does not adopt an ordinance by January 1, 1988, or if the department of natural resources, after notice and hearing, determines that a county or the Yahara watershed management district, acting under s. 33.43 (3) (b), has adopted an ordinance which fails to meet reasonable minimum standards in accomplishing the shoreland protection objectives of s. 144.26 (1), the department of natural resources shall adopt such an ordinance. As far as possible, s. 87.30 shall apply to this subsection.~~

~~SECTION 1204g. 59.971 (7) of the statutes is amended to read:~~

~~59.971 (7) An ordinance enacted under this section by a county continues in effect in any shoreland area annexed by a city or village after May 7, 1982, unless the city or village adopts, maintains and enforces a zoning ordinance which complies with the requirements of this section to the extent possible and which is at least as restrictive as the county shoreland zoning ordinance or unless the Yahara watershed management district, acting under s. 33.43 (3) (b), adopts, maintains and enforces a zoning ordinance which complies with the requirements of this section to the extent possible and which is more restrictive than the county shoreland zoning ordinance. If the department determines that a zoning ordinance adopted by a city or village or by the Yahara watershed management district which is applicable to a shoreland area annexed after May 7, 1982, does not meet these standards after providing notice and conducting a hearing on the matter, it either shall issue an order declaring the city or village ordinance or the Yahara watershed management district shoreland zoning ordinance, if one exists, void and reinstating the applicability of the county shoreland zoning ordinance to the annexed area or it shall issue an order declaring the city or village ordinance or the Yahara watershed management district shoreland zoning ordinance, if one exists, void and adopting an ordinance for the annexed area for the city or village or for the Yahara watershed management district which does meet these standards. As far as applicable, the procedures set forth in s. 87.30 apply to this subsection.~~

Vetoed
in Part

~~SECTION 1204j. 59.974 (2) of the statutes is amended to read:~~

~~59.974 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To effect the purposes of s. 144.266 and to promote the public health, safety and general welfare, a county may shall enact a construction site erosion control ordinance and may enact a storm water management zoning ordinance applicable to all of its unincorporated area. These ordinances may be enacted separately from ordinances enacted under s. 59.97.~~

Vetoed
in Part

~~SECTION 1204m. 59.974 (9) of the statutes is amended to read:~~

~~59.974 (9) (title) INTERGOVERNMENTAL COOPERATION. Section 66.30 applies to this section,~~

~~except that for the purposes of this section any agreement under s. 66.30 shall be effected by ordinance. If a county is served by a regional planning commission under s. 66.945 or by the Yahara watershed management district under ch. 33 and if the commission or the Yahara watershed management district consents, the county may empower the commission or the Yahara watershed management district by ordinance to administer an ordinance enacted under this section throughout the county, whether or not the area otherwise served by the commission or the Yahara watershed management district includes all of that county.~~

Vetoed
in Part

~~SECTION 1205. 60.34 (5) (b) and (c) of the statutes are 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.~~

~~(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 1206. 60.56 (1) (am) (intro.) and l of the statutes are amended to read:~~

~~60.56 (1) (am) (intro.) If a town board establishes a town police department under par. (a) 1 or 2 and does not create a board of police commissioners singly or in combination with another town, village or city, the town board may not suspend, reduce, suspend and reduce, or remove any police chief or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of~~

employment or collective bargaining agreement which provides for a fair review prior to that suspension, reduction, suspension and reduction or removal, unless the board follows the procedure under s. 62.13 (5). To act under this paragraph in place of the board of police and fire commissioners under s. 62.13, the town may do either board does one of the following:

1. Establish Establishes a committee of not less than 3 members, none of whom may be an elected or appointed official of the town or be employed by the town. The committee shall act under s. 62.13 (5) in place of a board of police and fire commissioners. The town shall pay board may provide for some payment to each member for the member's cost of serving on the committee at a rate established by the town board.

SECTION 1207. 60.56 (1) (am) 2 of the statutes is repealed and recreated to read:

60.56 (1) (am) 2. Appoint a person who is not an elected or appointed official of the town and who is not employed by the town. The person shall act under s. 62.13 (5) in place of a board of police and fire commissioners. The town board may provide for some payment to that person for serving under this subdivision at a rate established by the town board.

~~SECTION 1207g. 60.63 (1) of the statutes is amended to read:~~

~~60.63 (1) Before July 1, 1991, no community living arrangement that has capacity for 5 or more persons being served by the program may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by an ordinance of the town, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local township. Two community living arrangements may be adjacent if the town authorizes that arrangement and if both facilities comprise essential components of a single program.~~

~~SECTION 1207k. 60.63 (1m) of the statutes is created to read:~~

~~60.63 (1m) After June 30, 1991, no community living arrangement may be established within 2,500 feet, or any lesser distance established by an ordinance of the town, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local township. Two community living arrangements may be adjacent if the town authorizes that arrangement and if both facilities comprise essential components of a single program.~~

SECTION 1208gm. 60.785 (3) (a) of the statutes is renumbered 60.785 (3) (a) 1 and amended to read:

60.785 (3) (a) 1. A town sanitary district may be dissolved in whole using the procedure for creating a town sanitary district under s. 60.71. The petition shall state why the town sanitary district does not meet the standards of s. 60.71 (6) (b). If the town board, after the hearing, finds that one or more of the standards of s. 60.71 (6) (b) are not met, the town

board shall order the dissolution of the town sanitary district, except that a board may not order the dissolution of a district if, following dissolution, all outstanding indebtedness of the district would not be paid or provision for payment of the indebtedness would not be made.

SECTION 1208gr. 60.785 (3) (a) 2 of the statutes is created to read:

60.785 (3) (a) 2. A town sanitary district may be dissolved in part under subd. 1 if that sanitary district was created on October 31, 1967.

SECTION 1209. 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 1209c. 61.351 (6) of the statutes is amended to read:~~

~~61.351 (6) FAILURE TO ADOPT ORDINANCE. If any village does not adopt an ordinance required under sub. (3) within 6 months after receipt of final wetland inventory maps prepared by the department of natural resources for the village under s. 23.32, or if the department of natural resources, after notice and hearing, determines that a village or the Yahara watershed management district, acting under s. 33.43 (3) (b), has adopted an ordinance which fails to meet reasonable minimum standards in accomplishing the shoreland protection objectives of s. 144.26 (1), the department of natural resources shall adopt an ordinance for the village or the Yahara watershed management district. As far as applicable, the procedures set forth in s. 87.30 apply to this subsection.~~

~~SECTION 1209d. 61.354 (2) of the statutes is amended to read:~~

~~61.354 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To effect the purposes of s. 144.266 and to promote the public health, safety and general welfare, a village may shall enact a construction site erosion control ordinance and may enact a storm water management zoning ordinance applicable to all of its incorporated area. The ordinance These ordinances may be enacted separately from ordinances enacted under s. 61.35.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~SECTION 1209g. 61.354 (8) of the statutes is amended to read.~~

~~61.354 (8) (title) INTERGOVERNMENTAL COOPERATION. Section 66.30 applies to this section, except that for the purposes of this section any agreement under s. 66.30 shall be effected by ordinance. If a village is served by a regional planning commission under s. 66.945 or by the Yahara watershed management district under ch. 33 and if the commission or the Yahara watershed management district consents, the village may empower the commission or the Yahara watershed management district by ordinance to administer the ordinance enacted under this section throughout the village, whether or not the area otherwise served by the commission or the Yahara watershed management district includes all of that village.~~

SECTION 1210. 61.65 (1) (am) (intro.) and 1 of the statutes are amended to read:

61.65 (1) (am) (intro.) If a village establishes a police department ~~under par. (a) 1 or 3~~ and does not create a board of police commissioners singly or in combination with another municipality, the village may not suspend, reduce, suspend and reduce, or remove any police chief or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of employment or collective bargaining agreement which provides for a fair review prior to that suspension, reduction, suspension and reduction or removal, unless the village follows the procedure under s. 62.13 (5). To act under this paragraph in place of the board of police and fire commissioners under s. 62.13, the village may do either does one of the following:

1. ~~Establish~~ Establishes a committee of not less than 3 members, none of whom may be an elected or appointed official of the village or be employed by the village. The committee shall act under s. 62.13 (5) in place of a board of police and fire commissioners. The village shall pay board may provide for some payment to each member for the member's cost of serving on the committee at a rate established by the village board.

SECTION 1211. 61.65 (1) (am) 2 of the statutes is repealed and recreated to read:

61.65 (1) (am) 2. Appoint a person who is not an elected or appointed official of the village and who is not employed by the village. The person shall act under s. 62.13 (5) in place of a board of police and fire commissioners. The village board may provide for some payment to that person for serving under this subdivision at a rate established by the village board.

SECTION 1212. 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 1214. 62.13 (6m) (intro.) and (a) of the statutes are amended to read:

62.13 (6m) (intro.) If a city of less than 4,000 population has not by ordinance applied subs. (1) to (6) to the city, the city may not suspend, reduce, suspend and reduce, or remove any police chief or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of employment or collective bargaining agreement which provides for a fair review prior to that suspension, reduction, suspension and reduction or removal, unless the city follows the procedure under sub. (5). To act under this subsection in place of the board of police and fire commissioners under subs. (1) to (6), the city may do either does one of the following:

(a) ~~Establish~~ Establishes a committee of not less than 3 members, none of whom may be an elected or appointed official of the city or be employed by the city. The committee shall act under sub. (5) in place of the board of police and fire commissioners. The city shall pay council may provide for some payment to each member for the member's cost of serving on the committee at a rate established by the city council.

SECTION 1215. 62.13 (6m) (b) of the statutes is repealed and recreated to read:

62.13 (6m) (b) Appoint a person who is not an elected or appointed official of the city and who is not employed by the city. The person shall act under sub. (5) in place of the board. The city council may provide for some payment to that person for serving under this paragraph at a rate established by the city council.

Vetoed
in Part

~~SECTION 1215bh. 62.23 (7) (i) 1 of the statutes is amended to read:~~

~~62.23 (7) (i) 1. No Before July 1, 1991, no community living arrangement in a city that is not a 1st class city that has capacity for 5 or more persons being served by the program and no community living arrangement in a 1st class city may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by an ordinance of the city, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the city. Two community living arrangements may be adjacent if the city authorizes that arrangement and if both facilities comprise essential components of a single program.~~

~~SECTION 1215bp. 62.23 (7) (i) 1m of the statutes is created to read:~~

~~62.23 (7) (i) 1m. After June 30, 1991, no community living arrangement may be established within 2,500 feet, or any lesser distance established by an ordinance of the city, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the city. Two community living arrangements may be adjacent if the city authorizes that arrangement and if both facilities comprise essential components of a single program.~~

Vetoed
in Part

~~SECTION 1215c. 62.231 (6) of the statutes is amended to read:~~

~~62.231 (6) FAILURE TO ADOPT ORDINANCE. If any city does not adopt an ordinance required under sub. (3) within 6 months after receipt of final wetland inventory maps prepared by the department of natural resources for the city under s. 23.32, or if the department of natural resources, after notice and hearing, determines that a city or the Yahara watershed management district, acting under s. 33.43 (3) (b), has adopted an ordinance which fails to meet reasonable minimum standards in accomplishing the shoreland protection objectives of s. 144.26 (1), the department of natural resources shall adopt an ordinance for the city or the Yahara watershed management district. As far as applicable, the procedures set forth in s. 87.30 apply to this subsection.~~

Vetoed
in Part

~~SECTION 1215d. 62.234 (2) of the statutes is amended to read:~~

~~62.234 (2) (title) AUTHORITY OR REQUIREMENT TO ENACT ORDINANCE. To effect the purposes of s. 144.266 and to promote the public health, safety and general welfare, a city may shall enact a construction site erosion control ordinance and may enact a storm water management zoning ordinance applicable to all of its incorporated area. This ordinance. These ordinances may be enacted separately from ordinances enacted under s. 62.23.~~

Vetoed
in Part

~~SECTION 1215h. 62.234 (8) of the statutes is amended to read:~~

~~62.234 (8) (title) INTERGOVERNMENTAL COOPERATION. Section 66.30 applies to this section,~~

~~except that for the purposes of this section any agreement under s. 66.30 shall be effected by ordinance. If a city is served by a regional planning commission under s. 66.945 or by the Yahara watershed management district under ch. 33 and if the commission or the Yahara watershed management district consents, the city may empower the commission or the Yahara watershed management district by ordinance to administer the ordinance enacted under this section throughout the city, whether or not the area otherwise served by the commission or the Yahara watershed management district includes all of that city.~~

Vetoed
in Part

~~SECTION 1216c. 63.27 of the statutes is amended to read:~~

~~63.27 Rules not applicable to certain officers. Officers who are elected by the people, or who by the statutes are required to be elected by the city council, inspectors and clerks of election, one deputy in each department whose office was created and exists by reason of statute, the superintendent and teachers of schools, the members and secretary-business manager of the board of school directors, staff of the board of school directors if the board so decides under s. 119.13 (10) (c), heads of principal departments of the city, all members of the law, fire and police departments, permanent or temporary technical advisers and experts employed by the board of assessment under s. 32.52 (4), one private secretary of the mayor, the appointees of the mayor under s. 66.146 and any other officers, clerks or employes in the service of the city whose positions, in the judgment of the city service commissioners, cannot for the time being be subjected, with advantage to the public service, to the general rules prepared under this chapter shall not be affected as to their election, selection or appointment by rules made by the commissioners.~~

Vetoed
in Part

~~SECTION 1216g. 65.05 (4) of the statutes is amended to read:~~

~~65.05 (4) The common council, on or before November 20, shall adopt the proposed budget by a majority vote of all the aldermen either as submitted or as changed by the council. It shall not be necessary to refer the budget to a committee of the common council.~~

~~SECTION 1217. 65.07 (1) (f) of the statutes is amended to read:~~

~~65.07 (1) (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 1217gb. 65.20 (1) (e) of the statutes is amended to read:~~

~~65.20 (1) (e) From the estimates before him or her, the mayor shall make and submit to the common council, on or before October 1 September 10 each year, a proposed budget setting forth in detail the amounts proposed to be spent by each department and the various purposes therefor and the amounts of money for each purpose it is proposed shall be appro-~~

Vetoed
in Part

Vetoed
in Part

prepared by the council. The proposed budget shall comply with s. 65.02 (5) to (11). The proposed budget summary shall be published forthwith in at least one and not more than 2 daily newspapers having the largest circulation in the city as a class 1 notice, under ch. 985, and the proposed budget summary shall be printed forthwith in the proceedings of the common council. A complete copy of the entire proposed budget shall be made available for inspection in the office of the city clerk. If any department fails to file its estimates as provided in this section, the mayor shall make a proposed budget for the department specifying the purposes for which and the amount of funds the department may expend.

SECTION 1217gm. 65.20 (1) (i) of the statutes is amended to read:

65.20 (1) (i). At the meeting of the common council at which the proposed budget is submitted by the mayor, the common council shall determine the place and time of a public hearing on the budget which shall be held jointly by the common council and by the mayor not less than 10 days after the publication under par. (c), nor later than ~~November 10~~ October 20. The common council shall cause a notice of the place and time of the hearing to be published as a class 1 notice, under ch. 985, which hearing shall be not less than 7 days after the date of the last publication of the notice in at least one and not more than 2 daily newspapers having the largest circulation in the city.

Vetoed
in Part

SECTION 1217j. 65.90 (1) of the statutes is amended to read:

65.90 (1). In this section, "municipality" means each county other than counties having a population of 500,000 or more, each city, excepting cities of the 1st class, village, town, school district, vocational, technical and adult education district, the Yahara watershed management district and all other public bodies that have the power to levy or certify a general property tax or budget. Every municipality shall annually, prior to the determination of the sum to be financed in whole or in part by a general property tax, funds on hand or estimated revenues from any source, formulate a budget and hold public hearings thereon.

SECTION 1217m. 66.04 (2) (a) (intro.), 1 and 2 of the statutes are amended to read:

66.04 (2) (a) (intro.) Any county, city, village, town, school district, drainage district, vocational, technical and adult education district or other governing board as defined by s. 34.01 (1) may invest any of its funds not immediately needed in any of the following:

1. Time deposits in any credit union, bank, savings bank, trust company or savings and loan association which is authorized to transact business in this state if the time deposits mature in not more than one year;
2. Bonds or securities issued or guaranteed as to principal and interest by the federal government, or by a commission, board or other instrumentality of the federal government; or

SECTION 1217mg. 66.04 (2) (a) 4 of the statutes is created to read:

66.04 (2) (a) 4. Any security which matures or which may be tendered for purchase at the option of the holder within not more than 7 years of the date on which it is acquired, if that security is rated the highest or 2nd highest rating category assigned by Standard & Poor's corporation, Moody's investors service or other similar nationally recognized rating agency.

SECTION 1217mge. 66.059 (1) (intro.) and (c) of the statutes are amended to read:

66.059 (1) (intro.) Any county, town, sanitary district, public inland lake protection and rehabilitation district, city or village or the Yahara watershed management district, in addition to any other authority to borrow money and issue its municipal obligations, may also borrow money and issue its public improvement bonds to finance the cost of construction or acquisition, including site acquisition, of any revenue-producing public improvement of such municipality. In this section, unless the context or subject matter otherwise requires:

(c) "Municipality" means any county, sanitary district, public inland lake protection and rehabilitation district, town, city or village or the Yahara watershed management district.

SECTION 1217mgm. 66.066 (1) (a) of the statutes is amended to read:

66.066 (1) (a) "Municipality" means any city, village, town, county, commission created by contract under s. 66.30, public inland lake protection and rehabilitation district, metropolitan sewerage district created under ss. 66.20 to 66.26 or 66.88 to 66.918, town, sanitary district, municipal water district or power district or the Yahara watershed management district.

SECTION 1217mh. 66.069 (2) (d) of the statutes is amended to read:

66.069 (2) (d) An agreement by a city or village to furnish utility service outside its corporate limits to unincorporated property used for public, educational, industrial or eleemosynary purposes shall be deemed to fix fixes the nature and geographical limits of said that utility service unless altered by a change in the agreement, notwithstanding s. 196.58 (5). A change in use or ownership of property included under such that agreement shall does not be deemed to alter terms and limitations of such that agreement.

SECTION 1217mj. 66.069 (2) (dm) of the statutes is created to read:

66.069 (2) (dm) An agreement under par. (d) under which a village agrees to furnish sewerage service to a prison, which is located in an area which has been incorporated since that agreement was made, may be amended to provide that the village also furnish water service to the prison. An agreement amended under this paragraph fixes the nature and geographical limits of the water and sewer service unless altered by a change in the agreement, notwithstanding s. 196.58

Vetoed
in Part

(5). A change in use or ownership of property included under an agreement amended under this paragraph does not alter terms and limitations of that agreement.

~~Except as provided in sub. (1m), any revenue derived from any facility financed by a revenue bond issued under this subsection shall be used only to pay the principal and interest of that revenue bond, except that after the principal and interest of that revenue bond have been paid in full the revenue derived from the facility may be used for any purpose.~~

Vetoed
in Part

Vetoed
in Part

~~SECTION 1217nm. 66.078 of the statutes is amended to read:~~

~~66.078 (title) Refunding village, sanitary district, inland lake district and Yahara watershed management district bonds. Any village, town sanitary district established under s. 60.71 (1) or public inland lake protection and rehabilitation district established under ch. 33 or the Yahara watershed management district which has undertaken to construct a combined sewer and water system and issued revenue bonds payable from the combined revenues of said system and which is unable to provide sufficient funds to complete the construction of said system and to meet maturing principal of said revenue bonds, may, with the consent of all of the holders of noncallable bonds, refund all or any part of its outstanding indebtedness, including revenue bonds, by issuing term bonds maturing in not more than 20 years, payable solely from the revenues of said combined sewer and water system and redeemable at par on any interest payment date. Such bonds may be issued as provided in s. 66.066 (2) and shall pledge income from hydrant rentals and all sewer and water charges and may contain any covenants authorized by law, except if bonds are issued hereunder to refund floating indebtedness, such bonds shall be subject to the prior lien and claim of all bonds issued to refund revenue bonds theretofore issued.~~

~~SECTION 1217nm. 66.079 (1m) of the statutes is created to read:~~

~~66.079 (1m) A 1st class city shall deposit any revenue derived from the city's parking system in the city's general revenue fund unless the revenue is pledged to secure a bond issued before the effective date of this subsection. . . . [revisor inserts date].~~

~~SECTION 1217nn. 66.09 (1) and (2) of the statutes are amended to read:~~

~~66.09 (1) When a final judgment for the payment of money shall be recovered against a town, village, city, county, school district, vocational, technical and adult education district, town sanitary district, public inland lake protection and rehabilitation district or, community center or the Yahara watershed management district, or against any officer thereof, in any action by or against him or her in his or her name of office, when the judgment should be paid by such municipality, the judgment creditor, or his or her assignee or attorney, may file with the clerk a certified transcript of the judgment or of the docket of the judgment, together with his or her affidavit of payments made, if any, and the amount due and that the judgment has not been appealed from or removed to another court, or if so appealed or removed has been affirmed. The amount due, with costs and interest to the time when the money will be available for payment, shall be added to the next tax levy, and shall, when received, be paid to satisfy the judgment. If the judgment is appealed after filing the transcript with the clerk, and before the tax is collected, the money shall not be collected on that levy. If the clerk fails to include the proper amount in the first tax levy, he or she shall include it or such portion as is required to complete it in the next levy.~~

Vetoed
in Part

~~(2) In the case of school districts, town sanitary districts, public inland lake protection and rehabilitation districts or, community centers or the Yahara watershed management district, transcript and affidavit shall be filed with the clerk of the town, village or city in which the district or any part of it lies, and levy shall be made against the taxable property of the district or center.~~

Vetoed
in Part

~~SECTION 1217ng. 66.079 (1) of the statutes is amended to read:~~

~~66.079 (1) Any city or village without necessity of a referendum may purchase, acquire, rent from a lessor, construct, extend, add to, improve, conduct, operate or rent to a lessee a municipal parking system for the parking of vehicles, including parking lots and other parking facilities, upon its public streets or public grounds and issue revenue bonds to acquire funds for any one or more of these purposes. The parking lots and other parking facilities may include space designed for leasing to private persons for purposes other than parking. If, in 1st class cities, a charge is made for parking privileges in a parking system or parking lot and attendants are employed there, the parking system or parking lot shall be leased to operated under contract with private persons. No leasing such contract is required if the 1st class city cannot obtain reasonable terms and conditions. The provisions of s. 66.066 governing the issuance of revenue bonds apply, so far as applicable, to revenue bonds issued under this subsection. The municipal parking systems are public utilities under article XI, section 3, of the constitution. Revenue bonds issued under this subsection are payable solely, both principal and interest, from the revenues to be derived from the parking system, including without limitation revenues from parking meters or other parking facilities. Any~~

~~SECTION 1217nr. 66.11 (4) of the statutes is created to read:~~

~~66.11 (4) COMPATIBLE OFFICES AND POSITIONS. A volunteer fire fighter or emergency medical technician in a city, village or town whose annual compensation, including fringe benefits, does not exceed, \$2,500 may also hold an elected office in that city, village or town.~~

~~SECTION 1217o. 66.114 (2) (a) of the statutes is amended to read:~~

66.114 (2) (a) If the person so arrested and released fails to appear, personally or by an authorized attorney or agent, before the court at the time fixed for hearing of the case, then the bond and money deposited, or such portion thereof as the court may determine to be an adequate penalty, plus costs, including ~~the any applicable~~ fees prescribed in ~~s. ss. 814.63 (1) and (2) and 814.635~~, may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed after an ex parte hearing together with the costs. In either event, the surplus, if any, shall be refunded to the person who made the deposit.

SECTION 1217obd. 66.119 (1) (b) 7. c of the statutes is amended to read:

66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does not appear in court, either he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture ~~and~~, a penalty assessment imposed by s. 165.87 ~~and a jail assessment imposed by s. 53.46 (1)~~ not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

SECTION 1217obf. 66.119 (1) (b) 7. d of the statutes is amended to read:

66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture ~~and~~, the penalty assessment imposed by s. 165.87 ~~and the jail assessment imposed by s. 53.46 (1)~~.

SECTION 1217obh. 66.119 (1) (c) of the statutes is amended to read:

66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of cash deposits which are to be required for the various ordinance violations, and for the penalty assessment imposed by s. 165.87 ~~and the jail assessment imposed by s. 53.46 (1)~~, for which a citation may be issued. The ordinance shall also specify the court, clerk of court or other official to whom cash deposits are to be made and shall require that receipts be given for cash deposits.

SECTION 1217obj. 66.119 (3) (a) of the statutes is amended to read:

66.119 (3) (a) The person named as the alleged violator in a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount, within the time and to the court, clerk of court or other official specified in the citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture ~~or~~, penalty assessment ~~or jail assessment~~ which may be imposed.

SECTION 1217obL. 66.119 (3) (b) of the statutes is amended to read:

66.119 (3) (b) If a person appears in court in response to a citation, the citation may be used as the initial pleading, unless the court directs that a formal complaint be made, and ~~such the~~ appearance confers personal jurisdiction over the person. The person may plead guilty, no contest or not guilty. If the person pleads guilty or no contest, the court shall accept the plea, enter a judgment of guilty and impose a forfeiture ~~and~~, the penalty assessment imposed by s. 165.87 ~~and the jail assessment imposed by s. 53.46 (1)~~. A plea of not guilty shall put all matters in the case at issue, and the matter shall be set for trial.

SECTION 1217obn. 66.119 (3) (c) of the statutes is amended to read:

66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as the initial pleading and the violator shall be deemed to have tendered a plea of no contest and submitted to a forfeiture ~~and~~, the penalty assessment imposed by s. 165.87 ~~and the jail assessment imposed by s. 53.46 (1)~~ not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees may be taxed against the violator, but a penalty assessment ~~and a jail assessment~~ shall be assessed. If the court rejects the plea of no contest or if the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, an action for collection of the forfeiture ~~and~~, penalty assessment ~~and jail assessment~~ may be commenced. A city or village may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture ~~and~~, penalty assessment ~~and jail assessment~~.

SECTION 1217obp. 66.12 (1) (b) of the statutes is amended to read:

66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under such ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. 165.87 ~~and the jail assessment imposed by s. 53.46 (1)~~ to the designated official, the person need not appear in court and no

witness fees or other additional costs may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the county, city, town or village in whose behalf the sum was paid, except that all jail assessments shall be remitted to the county treasurer, within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. 165.87, the treasurer of the county, city, town or village shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the county, city, town, village or other municipal subdivision shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

SECTION 1217obr. 66.12 (1) (c) of the statutes is amended to read:

66.12 (1) (c) In case of conviction the court shall enter judgment against the defendant for the costs of prosecution, and for the penalty or forfeiture, if any, and for the penalty assessment imposed by s. 165.87, if any, for the jail assessment imposed by s. 53.46 (1), if any, and for the driver improvement surcharge imposed by s. 346.655, if any, and that the defendant be imprisoned for such time, not exceeding 90 days, unless otherwise provided by the ordinance, resolution or bylaw, as the court deems fit unless the judgment is sooner paid. The judgment or the imposition of any penalty, including the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 53.46 (1) and the driver improvement surcharge imposed by s. 346.655, or costs may be suspended or deferred for not more than 30 days in the discretion of the court. Prisoners confined in the county jail or in some other penal or correctional institution for violation of a city or village ordinance, resolution or bylaw shall be kept at the expense of the city or village.

SECTION 1217oc. 66.124 (1) and (2) (a) of the statutes are amended to read:

66.124 (1) An employe or agent of a village, city or county designated by the department of health and social services under s. 50.535 (2) or the department of agriculture, trade and consumer protection under s. 97.41 may enter, at reasonable hours, any premises for which the village, city or county issues a permit under s. 50.535 (2) or 97.41 to inspect the premises, secure samples or specimens, examine and copy relevant documents and records or obtain photographic or other evidence needed to enforce subch. III of ch. 50, ch. 97 or s. 140.05 (17), relating to those premises. If samples of food are taken, the village, city or county shall pay or offer to pay the market value of those samples. The

village, city, county, department of health and social services or department of agriculture, trade and consumer protection shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of subch. III of ch. 50, ch. 97 or s. 140.05 (17), rules adopted by the departments under those statutes, or regulations adopted by the village, city or county under s. 50.535 (2) (g) or 97.41 (7).

(2) (a) Whenever, as a result of an examination, the village, city or county has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to health, the administrator of the village, city or county agency responsible for the village's, city's or county's agent functions under s. 50.535 (2) or 97.41 may issue a temporary order and cause it to be delivered to the permittee, or to the owner or custodian of the food, or to both. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, require the premises to cease any other operation or method of operation which creates the immediate danger to health, or set forth any combination of these requirements. The administrator may order the cessation of all operations authorized by the permit only if a more limited order does not remove the immediate danger to health. Except as provided in par. (c), no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14-day period, if necessary to complete the analysis or examination of samples, specimens or other evidence.

~~SECTION 1217og. 66.143 of the statutes is created to read:~~ **Vetoed in Part**

~~66.143 Professional qualifications for 1st class city engineer and inspector of buildings. Notwithstanding s. 101.63 (2) or any other provision of law, no person except a 1st class city may require any qualification for a person occupying the position of city engineer or building inspector in that 1st class city.~~

~~SECTION 1217im. 66.144 of the statutes is created to read:~~

~~66.144 Residency required for public officials in 1st class cities. Any public official, as defined in s. 66.146 (1) (b), may not serve more than 180 days after his or her confirmation unless he or she resides within the boundaries of the 1st class city by which he or she is employed.~~

~~SECTION 1217or. 66.146 of the statutes is created to read:~~

~~66.146 Mayoral appointments in 1st class cities. (1) In this section:~~

~~(a) "Public office" means the following positions or their equivalent: city engineer; city purchasing agent; commissioner of building inspection; of city development; of health; or of public works; director of budget~~

Vetoed
in Part

and management of community development agency, of liaison, of municipal part, of personnel, of office of telecommunications, or of safety, emergency government coordinator; employe benefits administrator; executive director of the commission on community relations; harbor commissioner; supervisor of the central electronics board; and tax commissioner.

(b) "Public official" means a person appointed to a public office under this section.

(2) In any 1st class city, the mayor shall appoint, subject to confirmation of the common council, a person to serve in the unclassified service in each public office. A public official serves at the pleasure of the mayor, but not longer than the mayoral term of office during which the public official is appointed unless reappointed and reconfirmed. The mayor shall make appointments under this subsection within 90 days after taking office or within 90 days after a vacancy in the public office occurs, whichever is later. The common council shall vote on confirmation of any appointment under this subsection within 45 days after that appointment.

(3) If a city authorizes the position of deputy for a public office, the public official in that office shall appoint a person to serve in the unclassified service as deputy. That deputy shall serve at the pleasure of the public official, but not longer than the public official's term of office unless reappointed.

(4) This section does not affect the authority of a 1st class city to abolish, consolidate or create a public office or other position.

Vetoed
in Part

SECTION 1217p. 66.293 (3) (k) of the statutes is amended to read:

66.293 (3) (k) The provisions of s. ss. 101.02 (5) (f), (12), (13) and (14) and 103.89 apply to this subsection.

Vetoed
in Part

SECTION 1217q. 66.30 (1) (a) of the statutes is amended to read:

66.30 (1) (a) In this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section or regional planning commission or the Yahara watershed management district.

SECTION 1217r. 66.30 (2m) (e) of the statutes is amended to read:

66.30 (2m) (e) The corporation may receive gifts and grants and be subject to their use, control and investment as provided in s. 118.27, and the transfer of the property to the corporation shall be exempt from income, inheritance, estate and gift and death taxes.

Vetoed
in Part

SECTION 1219m. 66.306 of the statutes is created to read:

~~66.306 Ambulance service regulation. A 1st class city by ordinance may establish certification regulations for ambulance service providers, as defined in s. 146.50 (1) (c), operating in that city. No requirement for certification under the ordinance may be less restrictive than any requirement for licensing ambulance service providers under s. 146.50.~~

Vetoed
in Part

SECTION 1227m. 66.33 (1) of the statutes is amended to read:

66.33 (1) As used in this section "municipality" means any city, town, village, town sanitary district, public inland lake protection and rehabilitation district or metropolitan sewerage district or the Yahara watershed management district.

Vetoed
in Part

SECTION 1228a. 66.33 (5) of the statutes is amended to read:

66.33 (5) Any municipality is authorized to may participate in the state financial assistance program for soil and water resources protection established under s. 144.21, 144.24 or 144.25 and may enter into agreements with the department of natural resources for that purpose. Any county may participate in the state financial assistance program for soil and water resources protection established under s. 92.14 and may enter into agreements with the department of agriculture, trade and consumer protection for that purpose.

SECTION 1228am. 66.365 of the statutes is amended to read:

~~66.365 (title) Aids for recreational lands and facilities. The department of natural resources may make grants to any county, city, village or town or to the Yahara watershed management district for the acquisition or development of recreational lands and facilities from moneys appropriated under s. 20.370 (2) (f). Use and administration of the grant shall be consistent with any court order issued under s. 147.23 (3). A If a county, city, village or town which or the Yahara watershed management district receives a grant under this section, the recipient is not required to share in the cost of a project under this section.~~

Vetoed
in Part

SECTION 1228b. 66.40 (9) (w) of the statutes is created to read:

66.40 (9) (w) To exercise any powers of a redevelopment authority operating under s. 66.431 if done in concert with a redevelopment authority under a contract under s. 66.30.

SECTION 1228g. 66.431 (2) of the statutes is amended to read:

66.431 (2) FINDINGS. In addition to the findings and declarations made in ss. 66.43 (2) and 66.435, which findings and declarations are in all respects affirmed, restated and incorporated herein, it is further found and declared that the existence of substandard, deteriorated, slum and blighted areas and blighted properties is a matter of state-wide statewide concern; that it is the policy of this state to protect and promote the health, safety, morals and general welfare

of the people of the state in which such areas and blighted properties exist by the elimination and prevention of such areas and blighted properties through the utilization of all means appropriate for that purpose, thereby encouraging well-planned, integrated, stable, safe and healthful neighborhoods, the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas and blighted properties; that the purposes of this section are to provide further for the elimination and prevention of substandard, deteriorated, slum and blighted areas and blighted properties through redevelopment and other activities by state-created agencies and the utilization of all other available public and private agencies and resources, thereby carrying out the policy of this state as heretofore declared; that state agencies are necessary in order to carry out in the most effective and efficient manner the state's policy and declared purposes for the prevention and elimination of substandard, deteriorated, slum and blighted areas and blighted properties; and that such state agencies shall be available in all the cities in the state to be known as the redevelopment authorities of the particular cities, to carry out and effectuate the provisions of this section when the local legislative bodies of the cities determine there is a need for them to carry out within their cities the powers and purposes of this section; and any assistance which may be given by cities or any other public bodies in connection therewith, are public uses and purposes for which public money may be expended; and that the necessity in the public interest for the provisions herein enacted is declared a matter of legislative determination. Nothing contained herein is deemed to contravene, repeal or rescind the finding or declaration of necessity prior to the recreation thereof on June 1, 1958.

SECTION 1228gc. 66.431 (3) (g) of the statutes is amended to read:

66.431 (3) (g) The authority may employ such personnel as is required for the purpose of carrying on its duties and responsibilities under civil service. The authority may appoint an executive director whose qualifications shall be determined by the authority. Such director shall also act as secretary of such authority and may have such duties, powers and responsibilities as may be from time to time delegated to him by the authority. All of the employees, including the director of the authority, shall be eligible to participate in the same pension system, health and life insurance programs and deferred compensation programs provided for city employes and are eligible for any other benefits provided to city employes.

SECTION 1228ge. 66.431 (4) (bm) of the statutes is created to read:

66.431 (4) (bm) "Blighted property" means any property within a city, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions for

ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare, or any property which by reason of faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use, or any property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

SECTION 1228gg. 66.431 (5) (a) 4. c of the statutes is amended to read:

66.431 (5) (a) 4. c. To issue bonds in its discretion to finance its activities under this section, including the payment of principal and interest upon any advances for surveys and plans, and may issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in connection with its undertaking and carrying out of projects or activities under this section; provided that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of any such projects or activities, or any part thereof, ~~title to which is in the authority.~~ Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and shall not be subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempt from all taxes. Bonds issued under this section shall be authorized by resolution of the authority and may be issued in one or more series and shall bear such date, be payable upon demand or mature at such time, bear interest at such rate, be in such denomination, be in such form either with or without coupon or regis-

tered, carry such conversion or registration privileges, have such rank or priority, be payable in such medium of payment, at such place, and be subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics, as is provided by the resolution, trust indenture or mortgage issued pursuant thereto. Bonds issued under this section shall be executed as provided in s. 67.08 (1) and may be registered under s. 67.09. ~~Except as provided under sub. (5m) (a), such bonds may be sold at not less than par at public sale held after a class 2 notice, under ch. 985, published prior to such sale in a newspaper having general circulation in the city and in such other medium of publication as the authority determines or may be exchanged for other bonds on the basis of par.~~ The bonds may be sold or exchanged at public sale or by private negotiation with bond underwriters as the authority may provide. The bonds may be sold or exchanged at such price or prices as the authority shall determine. If sold or exchanged at public sale, the sale shall be held after a class 2 notice, under ch. 985, published prior to such sale in a newspaper having general circulation in the city and in such other medium of publication as the authority determines. Such bonds may be sold to the federal government at private sale, without publication of any notice, at not less than par, and, if less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority of not to exceed the interest cost to the authority of the portion of the bonds sold to the federal government. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this section shall be fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this section or the security therefor, any such bond reciting in substance that it has been issued by the authority in connection with a project or activity under this section shall be conclusively deemed to have been issued for such purpose and such project or activity shall be conclusively deemed to have been planned, located and carried out in accordance with this section.

SECTION 1228gh. 66.431 (5) (a) 9 of the statutes is created to read:

66.431 (5) (a) 9. To exercise any powers of a housing authority under s. 66.40 if done in concert with a housing authority under a contract under s. 66.30.

SECTION 1228gi. 66.431 (5) (c) of the statutes is created to read:

66.431 (5) (c) 1. Notwithstanding sub. (6), the authority of a 1st class city may acquire any property determined by the authority to be blighted property without designating a boundary or adopting a redevelopment plan. Condemnation proceedings for the acquisition of blighted property shall be conducted under ch. 32 or under any other law relating specifically to eminent domain procedures of authorities.

The authority may hold, clear, construct, manage, improve or dispose of the blighted property, for the purpose of eliminating its status as blighted property. Notwithstanding sub. (9), the authority may dispose of the blighted property in any manner. The authority may assist private acquisition, improvement and development of blighted property for the purpose of eliminating its status as blighted property, and for that purpose the authority shall have all the duties, rights, powers and privileges given to the authority under this section, as if it had acquired the blighted property.

2. Prior to acquiring blighted property under subd. 1, the authority shall hold a public hearing to determine if the property is blighted property. Notice of such hearing, describing the time, date, place and purpose of the hearing and generally identifying the property involved shall be given to each owner of the property, at least 20 days prior to the date set for the hearing, by certified mail with return receipt requested. If the notice cannot be delivered by certified mail with return receipt requested, or if the notice is returned undelivered, notice may be given by posting the notice at least 10 days prior to the date of hearing on any structure located on the property which is the subject of the notice. If the property which is the subject of the notice consists of vacant land, a notice may be posted in some suitable and conspicuous place on that property. For the purpose of ascertaining the name of the owner or owners of record of property which is subject to a public hearing under this subdivision, the records of the register of deeds of the county in which such property is located, as of the date of the notice required under this subdivision, shall be deemed conclusive. An affidavit of mailing or posting the notice which is filed as a part of the records of the authority shall be deemed prima facie evidence of that notice. In the hearing under this subdivision, all interested parties may express their views respecting the authority's proposed determination, but the hearing is only for informational purposes. Any technical omission or error in the procedure not specified under this subdivision does not invalidate the designation or subsequent acquisition. If any owner of property subject to the authority's determination that the property is blighted property objects to that determination or to the authority's acquisition of that property, that owner shall file a written statement of his or her objections and the reasons for those objections with the authority prior to, at the time of, or within 15 days after the public hearing under this subdivision. Such statement shall contain the mailing address of the person filing the statement and be signed by or on behalf of that person. The filing of that statement shall be a condition precedent to the commencement of an action to contest the authority's actions under this paragraph. The authority may not acquire property under this paragraph without the approval of the local legislative body of the city in which the authority is located.

SECTION 1228gk. 66.431 (5m) (a) of the statutes is amended to read:

66.431 (5m) (a) Subject to par. (b), ~~a redevelopment~~ an authority in a 1st class city may issue bonds to finance mortgage loans on owner-occupied dwellings ~~located in an abandoned highway corridor~~. Bonds issued under this paragraph may be sold at a private sale at a price determined by the ~~redevelopment~~ authority. ~~No bonds may be issued under this paragraph on or after July 1, 1984, except bonds issued to refund outstanding bonds.~~

SECTION 1228gm. 66.431 (5m) (c) 1 and 2 of the statutes are amended to read:

66.431 (5m) (c) 1. Issue mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling ~~in an abandoned highway corridor~~ in the city.

2. Issue loans to any lending institution within the city which agrees to make mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling ~~in an abandoned highway corridor~~ in the city.

SECTION 1228m. 66.4325 (5m) of the statutes is created to read:

66.4325 (5m) TAX EXEMPTION. Community development authority bonds issued on or after January 28, 1987, are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, are exempt from taxes.

SECTION 1228mr. 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, and is not in a 3rd class city which is located in a county with a population of less than 500,000 and which has boundaries on both sides of the Milwaukee river; 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~~ outside a 1st class city and if the tax incremental district was created on or before December 31, 1980, or if the tax incremental district was created after December 31, 1980, and is in a 3rd class city which is located in a county with a population of less than 500,000 and which has boundaries on both sides of the Milwaukee river 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 1228n. 66.46 (6) (am) 3 of the statutes is amended to read:

66.46 (6) (am) 3. For tax incremental districts for which the resolution under sub. (4) (gm) is adopted on or after July 31, 1981, no expenditure may be made before the date the project plan is approved, except for costs directly related to planning the tax incremental district. In this subdivision "expenditure" means the exchange of money for the delivery of goods or services. This subdivision does not apply to 2nd class cities that have a population of less than 50,000, that are located in a county that has a population of less than 100,000 and that border on a major river.

SECTION 1228o. 66.46 (6) (am) 3 of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

66.46 (6) (am) 3. For tax incremental districts for which the resolution under sub. (4) (gm) is adopted on or after July 31, 1981, no expenditure may be made before the date the project plan is approved, except for costs directly related to planning the tax incremental district. In this subdivision "expenditure" means the exchange of money for the delivery of goods or services.

SECTION 1228p. 66.46 (6) (c) of the statutes is amended to read:

66.46 (6) (c) All tax increments received with respect to a tax incremental district shall, forthwith upon receipt by the city treasurer, be deposited into a special fund for such district. The city treasurer may deposit additional moneys into such fund pursuant to an appropriation by the ~~local legislative body~~. ~~Moneys shall~~ common council. No moneys may be paid out of such fund only except to pay project costs with respect to such district, to reimburse the city for such payments, or to satisfy claims of holders of bonds or notes issued with respect to such district. Moneys paid out of the fund to pay project costs with respect to a district may be paid out before or after the district is terminated under sub. (7). Subject to any agreement with bondholders, moneys in such fund may be temporarily invested in the same manner as other city funds if any investment earnings are applied to reduce project costs. After all project costs and all bonds and notes with respect to such district have been paid or the payment thereof provided for, subject to any agreement with bondholders, if there remain in such fund any moneys, they shall be paid over to the treasurer of each county, school district or other tax levying municipality or to the general fund of the city in such amounts as belong to each respectively, having due regard for what portion of such moneys, if any, represents tax increments not allocated to the city and what portion thereof, if any, represents voluntary deposits of the city into such fund.

SECTION 1228r. 66.46 (7) (a) and (b) of the statutes are amended to read:

66.46 (7) (a) That time, ~~after the completion of all public improvements specified in the plan or amendments thereto~~, when the city has received aggregate tax increments with respect to such district in an

amount equal to the aggregate of all expenditures previously made or monetary obligations previously incurred for project costs under the project plan and any amendments to the project plan for such district.

(b) The local legislative body, by resolution, dissolves the district at which time the city shall become liable for all unpaid project costs actually incurred which are not paid from the special fund under sub.

(6) (c), except this paragraph does not make the city liable for any tax incremental bonds or notes issued.

Vetoed
in Part

SECTION 1228m. 66.46 (14) of the statutes is amended to read:

66.46 (14) USE OF TAX INCREMENTAL FINANCING FOR INLAND LAKE PROTECTION AND REHABILITATION PROHIBITED. Notwithstanding sub. (9), no tax incremental financing project plan may be approved and no payment of project costs may be made for an inland lake protection and rehabilitation district, the Yahara watershed management district or a county acting under s. 59.07 (140).

Vetoed
in Part

SECTION 1228s. 66.467 of the statutes is created to read:

66.467 Development zones. (1) DEFINITIONS. In this section:

(a) "Department" means the department of development.

(b) "Development zone" means an area declared by the mayor of a 1st class city or the department to be eligible for tax benefits and other benefits granted by this state to encourage development.

(c) "Person" means any individual, partnership, association, corporation or firm.

(2) DUTIES OF THE MAYOR. The mayor of any 1st class city shall:

(a) Establish criteria for determining which areas in that city qualify as development zones. In establishing these criteria, the mayor shall effectuate the purposes of this subsection: to enhance the health, safety and welfare of the people of this state by encouraging the growth of the private sector of the economy in blighted areas.

(b) Monitor and evaluate the implementation and operation of the program under this subsection.

(c) Attempt to attain demonstration project status in regard to federal funding and attempt to attain other kinds of federal assistance, including the suspension of regulations.

(d) Report to the governor and to the presiding officer of each house of the legislature on January 10 of each odd-numbered year on the effectiveness of the program under this subsection.

(e) Attempt to attain assistance from the state.

(f) Assist employers in attaining the benefits available to businesses in development zones.

(4) DUTIES OF THE MAYOR AND THE DEPARTMENT. (a) A mayor of a 1st class city may designate one development zone in a 1st class city, and the department shall

designate one development zone in a 2nd class city that has a population of less than 35,000. These zones must fulfill all of the following criteria: **Vetoed
in Part**

1. Consist of contiguous blocks or contiguous census blocks in which no more than 500 individuals reside.

2. For the previous 2 years, have an unemployment rate equal to at least 150% of this state's rate, as determined by the department of industry, labor and human relations.

3. Have a median income of less than 90% of this state's median income.

4. Contain housing units at least 15% of which are substandard.

5. Have a continuous border.

(b) Monitor and evaluate the implementation and operation of the program under this subsection.

(c) Attempt to attain demonstration project status in regard to federal funding and attempt to attain other kinds of federal assistance, including the suspension of regulations.

(d) Report to the governor and to the presiding officer of each house of the legislature on January 10 of each odd-numbered year on the effectiveness of the program under this subsection.

(e) Attempt to attain assistance from the state.

(f) Assist employers in attaining the benefits available to businesses in development zones.

(g) Notify the nearest university of Wisconsin small business development center upon the creation of any development zone and encourage that center to assist businesses in that zone.

(h) Notify the Wisconsin housing and economic development authority of the creation of each development zone and encourage that authority to provide information on financial assistance to developers and potential developers of businesses in development zones.

(i) Notify the central administration of the university of Wisconsin system of the creation of any development zone.

(j) Notify the relevant regional planning commission of the creation of any development zone and encourage that commission to aid in making that zone a success.

(5) APPLICATION. A nonprofit development corporation may apply to the department for designation of an area as a development zone under sub. (4) (a). If a corporation is successful in its application, it shall be paid \$25,000 annually for 3 years from the appropriation under s. 20.143 (1) (am) and shall hire a business developer within 3 months after receiving the first annual grant.

(6) REVIEW OF APPLICATIONS. The department shall review the application and shall, within 120 days after its receipt, notify the corporation whether or not it meets the criteria under sub. (4) (a), except that upon notification to the corporation the department may

Vetoed
in Part

~~extend the deadline by 30 days. During the review, if the department requests, the corporation shall supply further information pertinent to the application. On or before October 31, the department shall notify each applicant as to which area has been designated as a development zone. If the department rejects an application, it shall notify the applicant of the rejection and the reasons for it.~~

~~(7) DURATION OF ZONES. The original designation of an area as a development zone shall be for 7 years. Upon application by the municipality, the duration of the development zone may be extended once or twice, each time for 7 years. On or before October 31, the applicant for an extension shall be notified whether or not the application is accepted.~~

SECTION 1228sg. 66.521 (2) (k) 7. (intro.) of the statutes is renumbered 66.521 (2) (k) 7 and amended to read:

66.521 (2) (k) 7. Hospital, clinic or nursing home facilities not requiring approval by the department of health and social services under ch. 150, if one of the following is met:

SECTION 1228sh. 66.521 (2) (k) 7. a and b of the statutes are repealed.

Vetoed
in Part

~~SECTION 1228i. 66.521 (4m) (a) 2 of the statutes is amended to read:~~

~~66.521 (4m) (a) 2. The municipality has received an estimate issued under s. 560.034 (5) (a), and the department of development has estimated whether that the project which the municipality would finance under the revenue agreement is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.~~

~~SECTION 1228im. 66.521 (4m) (c) of the statutes is repealed.~~

Vetoed
in Part

~~SECTION 1228v. 66.54 (1) (c) of the statutes is amended to read:~~

~~66.54 (1) (c) "Municipality" means county, city, village, town, farm drainage board, sanitary districts, utility districts, public inland lake protection and rehabilitation districts, the Yahara watershed management district, and all other public boards, commissions or districts, except 1st class cities, authorized by law to levy special assessments for public improvements against the property benefited by the special improvements.~~

SECTION 1229. 66.60 (4) of the statutes is amended to read:

66.60 (4) A copy of the report when completed shall be filed with the municipal clerk for public inspection and, if property of the state may be subject to assessment under s. 66.64, a copy of the report shall also be filed with the board of commissioners of public lands and the department of administration state agency which manages the property and, if the assessment of a project, as defined under s. 66.64 (2) (a), is \$50,000 or more, the building commission. The building com-

mission shall review the assessment and shall determine within 90 days of receipt of the report if the assessment is just and legal and if the proposed improvement is compatible with state plans for the facility which is the subject of the proposed improvement. No project assessed at \$50,000 or more may be commenced and no contract on such project may be let without the approval of the building commission under this subsection. The building commission shall submit a copy of all of its decisions decision under this subsection to the board of commissioners of public lands state agency which manages the property which is the subject of the decision.

SECTION 1230. 66.64 (2) (a) of the statutes is renumbered 66.64 (2) and amended to read:

66.64 (2) In this subsection, "assessment" means a special assessment on property of the state and "project" means any continuous improvement within overall project limits regardless of whether small exterior segments are left unimproved. The board of commissioners of public lands shall determine if an assessment is just and legal. If the assessment of a project is less than \$50,000, the board shall order the assessment paid under s. 20.865 (3) (b), (h) or (r). If or if the assessment of a project is \$50,000 or more and if the building commission approves the assessment under s. 66.60 (4), the board state agency which manages the property shall order pay the assessment paid under s. 20.865 (3) (b), (h) or (r). In ordering the payment of an assessment under this subsection, the board shall apportion the total cost of the assessment proportionally against each from the revenue source which supports the general operating costs of the agency or program against which the assessment is made. The apportionment of the total cost of the assessment to each revenue source shall be as determined by the department of administration.

SECTION 1231. 66.64 (2) (b) of the statutes is repealed.

~~SECTION 1231m. 66.755 of the statutes is created to read:~~

Vetoed
in Part

~~66.755 Facility use surcharge. The common council of any 1st class city may enact an ordinance imposing a surcharge on the privilege of furnishing of any sport or entertainment event in any facility owned by a municipality or nonprofit corporation and operated by a municipality or nonprofit corporation if the event is available to the public and if revenues from the surcharge are used only to pay the city's costs related to the acquisition and preparation of the site on which the facility is built. The surcharge shall be on the gross receipts from the charges collected for attending events at the facility and may not exceed 5% of the cost of admission to any event. In the ordinance under this section, the city may provide for the collection and enforcement of that surcharge and may provide that persons violating the ordinance may be required to forfeit not less than \$100 nor more than \$500.~~

Vetoed
in Part

~~SECTION 1232m. 66.894 (1) (g) of the statutes is created to read:~~

~~66.894 (1) (g) Any harbor protection, shoreline protection or erosion control project which uses spoil from a construction project. The total funding for all projects under this paragraph may not exceed \$5,000,000.~~

SECTION 1232n. 66.905 (3) (c) of the statutes is renumbered 66.905 (3m) (a) 1 and amended to read:

66.905 (3m) (a) 1. Assurance Assure 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.; and

SECTION 1232o. 66.905 (3) (d) (intro.) of the statutes is renumbered 66.905 (3m) (a) 2. (intro.) and amended to read:

66.905 (3m) (a) 2. (intro.) Assurance Assure 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:

SECTION 1232p. 66.905 (3) (d) 1 to 3 of the statutes are renumbered 66.905 (3m) (a) 2. a to c.

SECTION 1232q. 66.905 (3m) (intro.) of the statutes is created to read:

66.905 (3m) PRIME CONTRACTOR RESPONSIBILITIES. (intro.) Each prime contractor shall agree to do one of the following in its proposal submitted under sub. (3):

SECTION 1232r. 66.905 (3m) (b) of the statutes is created to read:

66.905 (3m) (b) Obtain from a subcontractor which has experience in providing training to minority group members, in cooperation with local trade unions, a program of preapprenticeship training, and assure that the subcontractor has experience in providing a program of management and technical assistance to minority business contractors, and that the subcontractor's management and technical assistance program includes all of the requirements of par. (a) 2. A subcontractor under this paragraph need not be a minority business, but if the subcontractor is not a minority business, it may not be included within the goal established under sub. (3) (b).

SECTION 1232s. 66.905 (5) of the statutes is amended to read:

66.905 (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. Before approving a prime contract, the district shall evaluate any proposal of a subcontractor under sub. (3m) (b). The district shall award contracts to the applicants selected by the executive director under this subsection.

~~SECTION 1232e. 67.01 (5) of the statutes is amended to read:~~

~~67.01 (5) "Municipality" means a county, city, village, town, school district, board of park commissioners, vocational, technical and adult education district, metropolitan sewerage district created under ss. 66.20 to 66.26 or 66.88 to 66.918, town sanitary district, public inland lake protection and rehabilitation district, the Yahara watershed management district and any other public body empowered to borrow money and issue obligations to repay the money out of public funds or revenues.~~

~~SECTION 1232m. 67.03 (1) (c) of the statutes is created to read:~~

~~67.03 (1) (s) For the Yahara watershed management district, the aggregate amount of indebtedness, including existing and proposed indebtedness, shall not exceed the amount of indebtedness which would cause the management district's debt service costs to exceed 20% of the maximum amount of revenue which may be raised under s. 33.47 (2), at the time of borrowing any funds or issuing any obligations. The limitation established in this paragraph shall not affect the validity of any existing indebtedness or the obligation of such indebtedness, including the payment of principal and interest on outstanding bonds or notes.~~

~~SECTION 1232v. 67.05 (6) of the statutes is amended to read:~~

~~67.05 (6) REFERENDUM IN OTHER CASES. Whenever an initial resolution has been adopted by the governing body of any municipality other than a county, a town, a city, a village, a vocational, technical and adult education district, a metropolitan sewerage district created under ss. 66.20 to 66.26 or 66.88 to 66.918, a town sanitary district, a public inland lake protection and rehabilitation district or a board of park commissioners or the Yahara watershed management district, the clerk of such municipality shall immediately record the resolution and call a special meeting for the purpose of submitting it to the electors of the municipality for ratification or rejection. The calling and conduct of the meeting shall be governed by those statutes, so far as applicable, which govern the calling and conduct of special meetings in general. The notice of the meeting, which shall be publicly read before the balloting shall commence, and the ballot used, shall embody a copy of the resolution; the form of the ballot shall correspond with the form prescribed by the elections board under ss. 5.64 (2) and 7.08 (1) (a), and the question submitted shall be whether the resolution shall be approved.~~

SECTION 1233. 69.22 (1) (c) of the statutes is amended to read:

69.22 (1) (c) Seven Eight dollars for issuing a copy of a birth certificate, ~~\$2~~ \$3 of which shall be forwarded to the state treasurer and credited to the appropriation ~~appropriations~~ under s. 20.433 (1) (g) and (h).

Vetoed
in Part

SECTION 1233m. 69.22 (5) (b) 2 of the statutes is amended to read:

69.22 (5) (b) 2. The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee under this subdivision includes the search for the birth certificate and the first copy of the certificate except that the state registrar shall add to the \$20 fee, the \$2 ~~\$3~~ fee required under sub. (1) (c).

Vetoed
in Part

~~SECTION 1233mp. 70.06 (2) (c) of the statutes is amended to read:~~

~~70.06 (2) (c). The tax commissioner may, with the approval of the common council, appoint one chief assessor, one or more chief appraisers, one or more supervising assessors and supervising appraisers, one or more property appraisers and other expert technical personnel that the tax commissioner deems necessary in order that all valuations throughout the city are uniformly made in accordance with law. The chief assessor, chief appraiser and supervising assessors and assistant supervising assessors shall exercise the direction and supervision over assessment procedure and shall perform the duties in relation to the assessment of property that the tax commissioner determines. Together with the property appraiser (and) and the deputy tax commissioner and the supervisor of administration and records, they shall be members of the board of assessors and shall hold office in the same manner as assessors. Certification of the assessment roll shall be limited to the members of the board of assessors.~~

SECTION 1233mr. 70.11 (1) of the statutes is amended to read:

70.11 (1) PROPERTY OF THE STATE. Property owned by this state except land contracted to be sold by the state. This exemption shall not apply to land conveyed after September, 1933, to this state or for its benefit while the grantor or others for the grantor's benefit are permitted to occupy the land or part thereof in consideration for the conveyance; nor shall it apply to land devised to the state or for its benefit while another person is permitted by the will to occupy the land or part thereof. This exemption shall not apply to any property acquired by the department of veterans affairs under s. 45.72 (5) and (7) or to the property of insurers undergoing rehabilitation or liquidation under ch. 645.

Vetoed
in Part

~~SECTION 1233ms. 70.11 (2) of the statutes is amended to read:~~

~~70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION. Property owned by any county, city, village, town, school district, vocational, technical and adult education district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22 or town sanitary district or the Kahara watershed management district, lands belonging to cities of any other state used for public parks, land tax-deeded to any county or city before January 2, but any residence located upon property~~

~~owned by the county for park purposes which is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.965 (2) (d) this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.~~

Vetoed
in Part

SECTION 1233mt. 70.11 (24) of the statutes is repealed.

~~SECTION 1233mu. 70.11 (27) of the statutes is amended to read:~~

Vetoed
in Part

~~70.11 (27) MANUFACTURING MACHINERY AND SPECIFIC PROCESSING EQUIPMENT. Manufacturing machinery and specific processing equipment, exclusively and directly that is used by a manufacturer in manufacturing exclusively and directly to manufacture tangible personal property. In this section subsection, "manufacturing machinery and specific processing equipment" means any combination of electrical, mechanical or chemical means, including special foundations therefor, designed to work together in the transformation of materials or substances into new articles or components and used at any place beginning with the point where raw material is moved from storage to the production line and ending with the point where the finished product is placed on the premises for shipment or storage, including parts therefor, regardless of ownership and regardless of attachment to real property. This shall not be construed to "Manufacturing machinery and specific processing equipment" does not include materials, supplies, research and development equipment, communication equipment, storage equipment, including that for interim storage, advertising and marketing equipment, plant housekeeping equipment, employee safety equipment, fire prevention equipment, machine repair and maintenance equipment, equipment for generating, transforming, transmitting or furnishing electric current for light, heat or power, equipment for generating or furnishing steam or supplying hot water for heat, power or manufacturing purposes, equipment for generating or furnishing gas for lighting, fuel or both, or buildings or building components, nor shall it include equipment, tools or implements used to service or maintain manufacturing machinery or equipment. In this section manufacturing means the producing, assembling, fabricating, making or milling by machinery and equipment of a new article or components with a different form, use and name from existing materials by a process popularly regarded as manufacturing and as further defined in s. 70.995 (1) and (2). "Manufacturing" does not include generating, transforming, transmitting or furnishing electric current for light, heat or power, generating or furnishing steam or supplying hot water for heat, power or~~

**Vetoed
in Part**

~~manufacturing purposes. The term also does not include generating and furnishing gas for lighting, fuel or both where the property involved is taxed under ch. 76. This section shall be effective with the May 1, 1974, assessment and thereafter. In this subsection, "buildings" includes structures designed or suitable for habitation or sheltering human beings, animals or plants, sheltering or storing property or for use or occupation for trade or manufacture, regardless of any contribution the structure makes to the manufacturing process. In this subsection, "building components" include secondary service wiring, power wiring and bus duct. A business or activity must be classified as manufacturing under s. 70.995 by the department of revenue in order for its machinery and equipment to be exempt under this subsection. The exemption under this subsection does not apply to property that merely is integrated into a synchronized system of manufacturing. The exemption under this subsection is to be narrowly construed.~~

**Vetoed
in Part**

~~SECTION 1233m. 70.11 (35) of the statutes is created to read:~~

~~70.11 (35) Roads. Land dedicated by deed, condemnation, easement or law for public use as a highway as defined in s. 340.01 (22) and actually devoted to vehicular travel.~~

**Vetoed
in Part**

~~SECTION 1233n. 70.111 (22) of the statutes is created to read:~~

~~70.111 (22) CHARTER BOATS. Charter boats.~~

SECTION 1233p. 70.113 (1) of the statutes is amended to read:

70.113 (1) As soon after April 20 of each year as is feasible the department of natural resources shall pay to the city, village, or town treasurer the sum of 50 80 cents per acre as a grant out of the appropriation made by s. 20.370 (4) (ea) and (eq) on each acre situated in the municipality of state forest lands, as defined in s. 28.02 (1), state parks under s. 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges operated thereon, acquired at any time under s. 23.09 (2) (d), 29.10, 1943 stats., 29.571 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department of natural resources or leased from the federal government by the department of natural resources.

SECTION 1245. 70.119 (1) of the statutes is amended to read:

70.119 (1) The state shall make reasonable payments at established rates for water, sewer and electrical services and all other services directly provided to state facilities by a municipality, including garbage and trash disposal and collection, which are financed in whole or in part by special charges or fees. Such payments shall be made from the appropriations to the various state departments and agencies for the operation of state facilities, and. Each state agency making such payments shall be annually reported

report the payments to the department of administration.

SECTION 1246. 70.119 (2) of the statutes is amended to read:

70.119 (2) The state shall make reasonable payments for other municipal services as defined in sub. (3) (d) directly provided to state facilities by a municipality pursuant to the procedures specified in subs. (4), (5) and (6). Such payments shall be made from the appropriation under s. 20.855 (4) (e).

SECTION 1247. 70.119 (3) (dm) of the statutes is created to read:

70.119 (3) (dm) "State agency" has the meaning given under s. 20.001 (1).

SECTION 1248. 70.119 (7) of the statutes is renumbered 70.119 (7) (a) and amended to read:

70.119 (7) (a) The department shall make payment from the appropriation under s. 20.835 (5) (a) for municipal services provided by municipalities. If the appropriation for payments to municipalities under s. ~~20.855 (4) (e)~~ 20.835 (5) (a) is insufficient to pay the full amount under sub. (6) in any one year, the department shall prorate state payments among the municipalities entitled thereto.

SECTION 1249. 70.119 (7) (b) of the statutes is created to read:

70.119 (7) (b) The department shall determine the proportionate cost of payments for municipal services provided by a municipality for each program financed from revenues other than general purpose revenues and revenues derived from academic student fees levied or gifts, grants, requests or devises or trust fund **Vetoed in Part** income received by the board of regents of the university of Wisconsin system, and for each appropriation made from such revenues which finances the cost of such a program.

SECTION 1250. 70.119 (7) (c) of the statutes is created to read:

70.119 (7) (c) The department shall assess to the appropriate program revenue and program revenue-service accounts and segregated funds the costs of providing payments for municipal services for the administration of programs financed from program revenues or segregated revenues, except program revenues or segregated revenues derived from academic student fees levied or gifts, grants, requests or devises or trust fund **Vetoed in Part** income received by the board of regents of the university of Wisconsin system as appropriated **Vetoed in Part** under s. ~~20.285 (1) (m), (n), (o) and (u).~~ If payments are prorated under par. (a) in any year, the department shall assess costs under this paragraph as affected by the proration. The department shall transfer to the general fund an amount equal to the assessments in each year from the appropriate program revenue, program revenue-service and segregated revenue appropriations.

SECTION 1250g. 70.375 (4) (e) of the statutes is amended to read:

70.375 (4) (e) Except as provided in par. (em), federal and state income taxes paid, property taxes, sales taxes and use taxes paid and other taxes paid and ~~allowed as a deduction under s. 71.04 (3) deductible by corporations in computing net income under s. 71.02 (1) (c) (intro.)~~ which are allocable to the mine, excluding the tax under this section.

SECTION 1250r. 70.375 (4) (k) (intro.) of the statutes is amended to read:

70.375 (4) (k) (intro.) Depreciation or amortization on property used in connection with mining. With respect to property first eligible for depreciation or amortization before January 1, 1981, the deduction shall be limited to the deduction under s. 70.375 (4) (k), 1979 stats. With respect to property first eligible for depreciation or amortization on or after January 1, 1981, the deduction shall be limited to the amount allowable ~~under s. 71.04 (15) as a deduction to corporations in computing net income under s. 71.02 (1) (c) (intro.)~~. The following assets may be depreciated or amortized:

SECTION 1260m. 70.40 (3) of the statutes is amended to read:

70.40 (3) The tax provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected as taxes on personal property are paid and collected in the town, city or village where the dock is situated, and shall be deductible from gross income for income tax purposes as personal property taxes are deductible ~~under s. 71.04 (3) by corporations in computing net income under s. 71.02 (1) (c) (intro.)~~. Taxes collected under this section shall be divided as follows: ~~10% 30%~~ to the state general fund, ~~20% to the investment and local impact fund created under s. 70.395 (2)~~ and 70% to the town, city or village in which the taxes are collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.

SECTION 1260mb. 70.41 (3) of the statutes is amended to read:

70.41 (3) ASSESSMENT AND COLLECTION OF TAX ON GRAIN STORAGE. The tax under this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the taxing district where the elevator or warehouse is situated, ~~and when paid may be credited to or offset against income taxes in the same manner as personal property taxes are credited or offset under s. 71.21, 1923 stats.~~

SECTION 1260mbm. 70.415 (3) of the statutes is amended to read:

70.415 (3) The tax provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the town, city or village where the scrap iron or scrap steel dock or other steel dock is situated, and the entire proceeds of the tax shall be retained by the town, city or village. The tax when paid shall be deductible from gross income for income tax purposes as personal property taxes are deductible ~~under s. 71.04 (3) by corporations in computing net income under s. 71.02 (1) (c) (intro.)~~.

SECTION 1260mc. 70.42 (3) of the statutes is amended to read:

70.42 (3) The tax provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the taxing district where the coal dock is situated, and when paid shall be deductible from gross income for income tax purposes as personal property taxes are deductible ~~under s. 71.04 (3) by corporations in computing net income under s. 71.02 (1) (c) (intro.)~~. Taxes collected under this section shall be divided as follows: 10% to the state, 20% to the county, and 70% to the town, city or village in which the taxes are collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.

SECTION 1260mcm. 70.421 (3) of the statutes is amended to read:

70.421 (3) The tax provided for shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by such assessor to the town, village or city clerk and shall be entered by said clerk on the tax roll. Such tax shall be paid and collected in the taxing district where such refinery is situated, and shall be deductible from gross income for income tax purposes in the same manner as personal property taxes are deductible ~~under s. 71.04 (3) by corporations in computing net income under s. 71.02 (1) (c) (intro.)~~. Such tax shall be paid and collected in the same manner as taxes on personal property are paid and collected in the taxing district where such refinery is situated, and the entire proceeds of such tax shall be retained by such taxing district.

SECTION 1260md. 70.47 (12) of the statutes is amended to read:

70.47 (12) NOTICE OF DECISION. Prior to final adjournment, the board of review shall provide the objector, or the appropriate party under sub. (10),

notice by personal delivery or by mail, return receipt required, of the amount of the assessment as finalized by the board and an explanation of appeal rights and procedures under sub. (14) and ~~s. ss. 70.85 and~~ 74.73. Upon delivering or mailing the notice under this subsection, the clerk of the board of review shall prepare an affidavit specifying the date when that notice was delivered or mailed.

SECTION 1260mf. 70.47 (13) of the statutes is amended to read:

70.47 (13) CERTIORARI. Appeal Except as provided in s. 70.85, appeal from the determination of the board of review shall be by an action for certiorari commenced within 90 days after final adjournment of the board. The action shall be given preference. If the court on the appeal finds any error in the proceedings of the board which renders the assessment or the proceedings void, it shall remand the assessment to the board for further proceedings in accordance with the court's determination and retain jurisdiction of the matter until the board has determined an assessment in accordance with the court's order. For this purpose, if final adjournment of the board occurs prior to the court's decision on the appeal, the court may order the governing body of the assessing authority to reconvene the board.

SECTION 1260mg. 70.65 (2) of the statutes, as affected by 1985 Wisconsin Act 29, 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 1260mm. 70.85 of the statutes is created to read:

70.85 Revaluation. (1) If the department of revenue, on a written complaint filed with the department within 20 days after the taxpayer's receipt of the determination of the board of review for any taxation district or within 30 days after the date specified on the affidavit under s. 70.47 (12) if there is no return receipt, determines that the assessment of one or more descriptions of property in the taxation district, the fair market value of which does not exceed \$1,000,000 as determined by the department of revenue, is radically out of proportion to the general average of the assessment of all other property in the district and the assessment can be satisfactorily corrected without a reassessment of the entire district, the department of

revenue may revalue the property and equalize the assessment without the intervention of a board of review, if the revaluation can be accomplished before November 1 of the year in which the assessment is made or within 60 days of the receipt of the written complaint, whichever is later. The valuation so fixed by the department shall be substituted for the original valuation in the assessment and tax rolls and taxes computed and paid on it accordingly. No assessment may be raised except on the written complaint of 3 or more taxpayers and only if the party to whom the property is assessed has been duly notified of the intention in time to appear and be heard before, or file the party's objections with, the department in relation to it. Appeal from the determination of the department shall be by an action for certiorari in the circuit court of the county in which the property is located, which shall be given preference.

(2) In this section, for those taxation districts that are under a county assessor system, the term "local assessor" includes the county assessor and the term "board of review" includes the county board of review.

(3) A filing fee in the amount of \$100 shall be required and submitted with any complaint filed with the department under this section. If the department determines that no change in the property assessment is required, the costs related to the department's determination shall be paid by the department. If the department determines that a change in the property assessment is required, the costs related to the department's determination shall be paid by the assessment district. Past due accounts shall be certified by the department of revenue 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.

(4) (a) *Value to be used in setting tax rate.* If the department of revenue has not completed the revaluation prior to the time set by a municipality for establishing its current tax rate, the municipality shall use the total value, including contested values, shown in the assessment roll in setting its tax rate.

(b) *Tax levies; refunds.* If the department of revenue has not completed the revaluation prior to the time of the tax levy with respect to a particular objection to value, the tax levy on such property or person shall be based on the contested assessed value of the property. A tax bill shall be sent to, and paid by, the person subject to such tax levy as though there had been no objection filed, except that the payment shall be considered to be made under protest. The entire tax bill shall be paid even though the department of revenue has reduced the assessment prior to the time for full payment of the tax billed. If the department of revenue reduces the value of the property in question, the taxpayer may file a claim for refund of taxes resulting from the reduction in value. Such claim for refund shall be filed with the clerk of the municipality on or

before November 1 and shall be payable to the taxpayer from the municipality in January of the succeeding year, plus interest thereon at the rate of eight-tenths of one percent per month.

Vetoed in Part SECTION 1266b. 70.99 (1) of the statutes is amended to read:

~~70.99 (1) A county assessor system may be established for any county by passage of a resolution or ordinance adopting such a system by an approving vote of 60% a majority of the entire membership of the county board. After passage of this enabling resolution or ordinance by the county board, the county executive, or the county administrator, or the chairperson of the county board with the approval of the county board, shall appoint a county assessor from a list of candidates provided by the department of revenue who have passed an examination and have been certified by the department of revenue as qualified for performing the functions of the office. Certification shall be granted to all persons demonstrating proficiency by passing an examination administered by the department. The persons selected for listing shall first have been given a comprehensive examination, approved by the department of revenue, relating to the work of county assessor. A person appointed as county assessor shall thereafter have permanent tenure, after successfully serving the probationary period in effect in the county, and may be removed or suspended only for the reasons named in s. 17.14 (1) or for such cause as would sustain the suspension or removal of a state employe under state civil service rules. If employes of a county are under a county civil service program, the county assessor may, and any person appointed as a member of his or her staff shall, be incorporated into the county civil service program but tenure is dependent on the foregoing provision.~~

SECTION 1265. 70.99 (14) of the statutes is created to read:

70.99 (14) A county may discontinue a county assessor system by passage of a resolution or ordinance by an approving vote of 60% of the entire membership of the county board. The effective date of the resolution or ordinance shall be December 31. A county shall, on or before December 1 of the year preceding the year when the resolution or ordinance is effective, notify all municipalities in the county of its intent to discontinue its county assessor system. As soon as practicable after the effective date of the resolution or ordinance, the county shall transfer to the proper municipality all assessment records, books, maps, aerial photographs, appraisal cards and other assessment data in its possession.

SECTION 1265ad. 70.995 (8) (f) of the statutes is amended to read:

70.995 (8) (f) No manufacturing property assessment may be reviewed in a proceeding under s. 70.75 or 70.85, but such assessment may be reviewed in reassessment proceedings under s. 70.75 (1).

SECTION 1265b. 71.01 (1) of the statutes is amended to read:

71.01 (1) (title) INCOME TAX. For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under sub. (2), and on all Wisconsin net incomes of corporations as hereinafter provided, by every natural person residing within the state or by his or her personal representative in case of death, and trusts administered within the state; by every nonresident natural person and trust of this state, upon such income as is derived from property located or business transacted within the state, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state; and by every corporation not subject to the franchise tax under sub. (2), which owns property within this state or whose business within this state during the taxable year, except as provided under sub. (2m), consists exclusively of foreign commerce, interstate commerce, or both; except as hereinafter exempted. Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes. In determining whether or not an individual resides within this state for purposes of this subsection contributions made to charitable organizations in this state are not relevant. This section shall not be construed to prevent or affect the correction of errors or omissions in the assessments of income for former years under s. 71.11 (16) and (20).

SECTION 1265f. 71.01 (1g) of the statutes is amended to read:

71.01 (1g) MARITAL PROPERTY AGREEMENTS. The department of revenue shall notify a taxpayer whose separate return is under audit that a marital property agreement or unilateral statement under ch. 766 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 or unilateral statement under ch. 766 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 1265k. 71.01 (2) of the statutes is amended to read:

71.01 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its franchise or doing business in this state in a corporate capacity, except as provided under sub. (2m), every domestic or foreign corporation, except corporations specified in sub. (3), and every nuclear decommissioning trust or reserve

fund shall annually pay a franchise tax according to or measured by its entire Wisconsin net income of the preceding income taxable year at the rates set forth in s. 71.09 (2n). In addition, except as provided in subs. (2m) and (3), a corporation that ceases doing business in this state and a nuclear decommissioning trust or reserve fund that is terminated shall pay a special franchise tax according to or measured by its entire Wisconsin net income for the income taxable year during which the corporation ceases doing business in this state or the nuclear decommissioning trust or reserve fund is terminated at the rates under s. 71.09 (2n). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to net income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on national banking associations shall be in lieu of all taxes imposed by this state on national banking associations to the extent it is not permissible to tax such associations under federal law. The tax imposed by this subsection on insurance companies subject to taxation under this chapter, except societies, organizations or corporations under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15 or 613.80, shall be based on Wisconsin net income computed under sub. (4), and no other provision of this chapter relating to computation of taxable income for other corporations shall apply to such insurance companies. All other provisions of this chapter shall apply to insurance companies subject to taxation under this chapter unless the context clearly requires otherwise. The tax imposed upon societies, organizations or corporations under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15 or 613.80, shall be upon such Wisconsin net income as is determined by application to such companies of those provisions of the internal revenue code applicable to mutual insurance companies, other than life insurance companies or mutual marine insurance companies, having total receipts over \$500,000 subject to any applicable addition or subtraction as provided in sub. (4) (a).

~~shall be taxed on the basis of pay a tax according to or measured by net income. Such tax shall first be is payable on or before March 15, 1973, and thereafter under s. 71.10 (1). "Net income" of an insurer subject to taxation under this chapter means federal taxable income as determined in accordance with the provisions of the internal revenue code applicable to the insurer with respect to determination of federal income tax payable by the company, adjusted as follows:~~

SECTION 1265s. 71.01 (4) (a) 2 of the statutes is repealed.

SECTION 1265w. 71.01 (4) (a) 6g of the statutes is created to read:

71.01 (4) (a) 6g. By adding or subtracting, as appropriate, the difference between the federal basis and the Wisconsin basis of any asset sold, exchanged, abandoned or otherwise disposed of in a taxable transaction during the taxable year.

SECTION 1265y. 71.01 (4) (a) 6j of the statutes is created to read:

71.01 (4) (a) 6j. By adding or subtracting, as appropriate, the amount required to reflect the fact that property that, under s. 71.01 (4) (g) 7 to 10, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

SECTION 1266b. 71.01 (4) (a) 6m of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1266f. 71.01 (4) (a) 6m. a to g of the statutes are amended to read:

71.01 (4) (a) 6m. a. Expenses allowable under section 162 or 212 of the internal revenue code and not disallowed 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 162 or 212 of the internal revenue code and not disallowed 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 162 or 212 of the internal revenue code and not

Vetoed in Part SECTION 1265m. 71.01 (3) (e) of the statutes is created to read:

~~71.01 (3) (e) Fifty percent of the interest on loans made to a business in a development zone, as defined under s. 66.467 (1) (b), after that zone is designated.~~

Vetoed in Part SECTION 1265n. 71.01 (3) (g) of the statutes is created to read:

~~71.01 (3) (g) Amounts received under s. 144.027.~~

SECTION 1265p. 71.01 (4) (a) (intro.) of the statutes is amended to read:

71.01 (4) (a) (intro.) Insurers subject to taxation under this chapter, except insurers under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15 or 613.80, ~~beginning with calendar year 1972 and thereafter,~~

disallowed 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 274 of the internal revenue code for travel as a form of education.

SECTION 1266k. 71.01 (4) (a) 7 of the statutes is amended to read:

71.01 (4) (a) 7. By subtracting from federal taxable income dividends received from Wisconsin corporations ~~which are deductible under s. 71.04 (4), to the extent such dividends have been that are deductible under s. 71.02 (1) (bg) 11 and are included in federal taxable income;~~

SECTION 1266p. 71.01 (4) (a) 9 of the statutes is amended to read:

71.01 (4) (a) 9. By subtracting from federal taxable income any net capital losses not offset against capital gains to the extent ~~provided by s. 71.04 (7) and (7a) that subtraction is allowed to other corporations in computing net income under s. 71.02 (1) (c) (intro.);~~

SECTION 1266s. 71.01 (4) (a) 10 of the statutes is renumbered 71.01 (4) (dm) and amended to read:

71.01 (4) (dm) ~~By subtracting Insurers computing tax under this subsection may subtract from Wisconsin net income any Wisconsin net business loss carry-forward permissible under s. 71.06 sustained in any of the next 15 preceding income years to the extent not offset by Wisconsin net business income of any year between the loss year and the income year for which an offset is claimed and computed without regard to par. (a) 7 and 9 and this paragraph and limited to the amount of net income, but no loss incurred by any insurer in 1971 or any prior year may be carried forward, and any such loss, not incurred in 1971 or any prior year, sustained by a nonprofit service plan of sickness care under ch. 148, dental care under s. 447.13 or prepaid optometric service plans under s. 449.15 shall may be treated as a net business loss of the suc-~~

cessor service insurer under ch. 613 operating by virtue of s. 148.03, 447.13 or 449.15.

SECTION 1266w. 71.01 (4) (b) 1 of the statutes is amended to read:

71.01 (4) (b) 1. With respect to any domestic insurer engaged in the sale of life insurance and also other insurance, the net income figure derived by application of par. (a) shall be multiplied by a fraction, the numerator of which ~~shall be is~~ the net gain from operations on insurance, other than life insurance, and the denominator of which ~~shall be is~~ the total net gain from operations. ~~If, except that the multiplier is zero if the numerator is zero or negative, the multiplier shall be zero the numerator is negative and the adjusted federal taxable income is positive or the numerator is positive and the adjusted federal taxable income is negative, and except that the multiplier is one if the numerator is positive and the denominator is zero or negative and the adjusted federal taxable income is positive or the numerator is negative and the denominator is zero or positive and the adjusted federal taxable income is negative or the numerator, the denominator and the adjusted federal taxable income are positive and the numerator is greater than the denominator, and except that if the numerator and denominator are both negative and the adjusted federal taxable income is negative the multiplier is positive but may not be more than one.~~

SECTION 1266y. 71.01 (4) (g) 7 to 10 of the statutes are amended to read:

71.01 (4) (g) 7. For taxable year 1983, "internal revenue code" means the federal internal revenue code as amended to December 31, 1982, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases), 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, and except that "internal revenue code" includes changes to that code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq), 1983 stats., apply as appropriate.

8. For taxable year 1984, "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), 1983 stats., apply as appropriate.

9. For taxable year 1985, "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), 1985 stats., apply as appropriate.

10. For taxable year 1986 ~~and subsequent years, except for depreciable property that is residential real property or, if the taxpayer's Wisconsin gross farm receipts or sales exceed \$155,000 for taxable year 1986 or for taxable year 1987 or thereafter exceed 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,~~ "internal revenue code" means the federal internal revenue code as amended to December 31, 1985, 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), 1985 stats., apply as appropriate.

SECTION 1267b. 71.01 (4) (g) 11 of the statutes is created to read:

71.01 (4) (g) 11. For taxable year 1987 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987 and thereafter.

SECTION 1267f. 71.01 (4) (h) of the statutes is amended 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~~ or measured by its entire net income attributable to ~~that business lines of insurance~~ 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 on those lines of insurance if the subject of which resides or is located that insurance was resident, located or to be performed 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 pars. (b), (c) and (d) for insurance other than life insurance with~~

~~appropriate substitutions of data applying to this line of insurance.~~

SECTION 1267k. 71.014 of the statutes is amended to read:

71.014 Individual surtax. For taxable year 1983, there is imposed and there shall be assessed, collected and paid, in addition to and in the same manner as all other income taxes imposed under this chapter, including those provisions relating to refunds and overpayments, a surtax to be paid by every individual subject to tax under s. 71.01 (1) equal to 10% of that individual's income tax payable to this state. In this section, "income tax payable" means the tax computed at the rates and brackets under s. 71.09 (1b) as adjusted under s. 71.09 (2) plus any tax payable under s. 71.60. Any declarations of estimated tax payments that would have been due under s. 71.21 before July 1, 1983, solely because of this surtax shall be prorated equally among, and paid with, any payments that are due on or after July 1, 1983, for the 1983 taxable year. ~~Any penalty addition to tax for underpayment of declaration of estimated taxes computed under s. 71.21 shall be computed on the basis that the surtax for the 1983 taxable year was required to be included only with instalment payments due on or after July 1, 1983. The surtax is part of the tax for purposes of determining any underpayment or declaring paying estimated taxes under s. 71.21.~~

SECTION 1267p. 71.016 of the statutes is created to read:

71.016 Additional tax on tax-option corporations. In addition to the other taxes imposed under this chapter, there is imposed on every tax-option corporation that has a recognized built-in capital gain, as defined in section 1374 (d) (2) of the internal revenue code, during a recognition period, as defined in section 1374 (d) (3) of the internal revenue code, and that had not made a tax-option corporation election before January 1, 1987, a tax computed under section 1374 of the internal revenue code except that the rate is that under s. 71.09 (2n), the taxable income is the Wisconsin taxable income and the credit and net operating losses are those under this chapter rather than the federal credits and net operating losses.

SECTION 1267s. 71.02 (1) (intro.) of the statutes is repealed and recreated to read:

71.02 (1) DEFINITIONS APPLICABLE TO CORPORATIONS. (intro.) In this chapter and in regard to corporations and to nuclear decommissioning trust or reserve funds:

SECTION 1267w. 71.02 (1) (b) of the statutes is repealed.

SECTION 1267y. 71.02 (1) (bc) of the statutes is created to read:

71.02 (1) (bc) "Gain" means gain as computed under the internal revenue code.

SECTION 1268b. 71.02 (1) (bg) of the statutes is created to read:

71.02 (1) (bg) Except as provided in par. (c) and s. 71.01 (4) (g), "internal revenue code", for taxable year 1987 and subsequent years, means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, except that that code does not include amendments to the federal internal revenue code enacted after December 31, 1986, and except that that code is modified in the following ways:

1. Section 78 (relating to treating taxes as dividends) is excluded.

2. Section 103 (relating to an exemption for interest) is excluded.

3. Section 108 (b) (relating to reduction of tax attributes) is modified so that the net operating loss under s. 71.06, not the federal net operating loss, and Wisconsin credits, not federal credits, are applied.

4. Section 133 (relating to an exclusion for interest) is excluded.

5. Section 162 (relating to trade or business expenses) is modified so that payments for wages, salaries, commissions and bonuses of employees and officers may be deducted only if the name, address and amount paid to each resident of this state to whom compensation of \$500 or more has been paid during the taxable year is reported or if the department of revenue is satisfied that failure to report has resulted in no revenue loss to this state and so that payments for rent may be deducted only if the amount paid, together with the names and addresses of the parties to whom rent has been paid, is reported as provided under s. 71.10 (1).

6. Section 164 (a) is modified so that foreign taxes are not deductible unless the income on which the tax is based is taxable under this chapter and so that gross receipts taxes assessed in lieu of property taxes, the license fees under ss. 76.28 and 76.38 and the tax under s. 70.375 are deductible.

8. Section 164 (a) (3) is modified so that state taxes and taxes of the District of Columbia on or measured by all or a portion of net income, gross income, gross receipts or capital stock are not deductible.

9. Section 164 (a) (4) (relating to a deduction for the windfall profits tax) is excluded.

10. Section 172 is excluded and replaced by the treatment of business loss carry-forwards under s. 71.06.

11. Sections 243, 244, 245, 246 and 246A are excluded and replaced by the rule that corporations may deduct from income dividends received from a corporation with respect to its common stock if the corporation receiving the dividends owns, directly or indirectly, during the entire taxable year at least 80% of the total combined voting stock of the payor corporation and dividends received from a corporation that filed a return under this chapter, that is subject to tax under this chapter, that did not deduct the dividends under this chapter and 50% or more of the net income or loss of which, after adjustment for tax purposes,

was used in computing taxable income under this chapter. In this subdivision, "dividends received" means gross dividends minus taxes on those dividends paid to a foreign nation and claimed as a deduction under this chapter.

12. Section 247 (relating to dividends on preferred stock of public utilities) is excluded.

13. Section 265 is excluded and replaced by the rule that any amount otherwise deductible under this chapter that is directly or indirectly related to income wholly exempt from taxes imposed by this chapter or to losses from the sale or other disposition of assets the gain from which would be exempt under this subdivision if the assets were sold or otherwise disposed of at a gain is not deductible. In this subdivision, "wholly exempt income", for corporations subject to franchise or income taxes, includes amounts received from affiliated or subsidiary corporations for interest, dividends or capital gains that, because of the degree of common ownership, control or management between the payor and payee, are not subject to taxes under this chapter. In this subdivision, "wholly exempt income", for corporations subject to income taxation under this chapter, also includes interest on obligations of the United States. In this subdivision, "wholly exempt income" does not include income excludable, not recognized, exempt or deductible under specific provisions of this chapter. If any expense or amount otherwise deductible is indirectly related both to wholly exempt income or loss and to other income or loss, a reasonable proportion of the expense or amount shall be allocated to each type of income or loss, in light of all the facts and circumstances.

14. Section 267 (relating to transactions between related taxpayers) is modified so that gains may be reduced only if the corresponding loss was incurred while the corporation was subject to tax under this chapter.

15. Sections 381, 382 and 383 (relating to carryovers in certain corporate acquisitions) are modified so that they apply to losses under s. 71.06 and credits under ss. 71.043 and 71.09 (12r) and (12rf) instead of to federal credits and federal net operating losses.

16. Section 468A (relating to nuclear decommissioning trust and reserve funds) is modified so that the deduction under section 468A (a) is allowed only if the fund is subject to tax under this chapter.

17. Section 501 (c) 14 (relating to an exemption for credit unions) is excluded and replaced with s. 71.01 (3) as that subsection relates to credit unions.

18. Sections 511 to 515 (relating to taxation of unrelated business income of exempt organizations) are excluded.

19. Sections 613 and 613A (relating to percentage depletion) are excluded.

20. Sections 921 to 927 (relating to foreign sales corporations) are excluded.

21. Sections 951 to 964 (relating to controlled foreign corporations) are excluded.

22. Sections 991 to 994, 995 as amended by section 802 of P.L. 98-369, and section 999 as amended by section 802 of P.L. 98-369 (relating to domestic international sales corporations) are excluded.

23. Section 1017 (relating to adjustments to basis because of discharge of indebtedness) is modified to reflect the modification under subd. 3.

24. Section 1033 is modified so that it does not apply to involuntary conversions of property in this state that produces nonbusiness income and that is replaced with similar property outside this state and to involuntary conversions of property in this state that produces business income and that is replaced with property outside this state if at the time of replacement the taxpayer is not subject to tax under this chapter.

25. Section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.016 for the tax under section 1374.

26. Sections 1501 to 1505, 1551, 1552, 1563 and 1564 (relating to consolidated returns) are excluded.

27. A corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

SECTION 1268f. 71.02 (1) (bi) of the statutes is created to read:

71.02 (1) (bi) "Loss" means loss as computed under the internal revenue code.

SECTION 1268k. 71.02 (1) (c) (intro.) of the statutes is amended to read:

71.02 (1) (c) (intro.) "Net income" means, for corporations, "gross income" less allowable deductions, gross income, as computed under the internal revenue code, minus the amount received under s. 71.027 plus the amount of credit computed under ss. 71.043 and 71.09 (12m), (12r) and (12rf) plus the amount of losses from the sale or other disposition of assets the gain from which would be wholly exempt income, as defined in par. (bg) 13, if the assets were sold or otherwise disposed of at a gain and minus deductions, as computed under the internal revenue code, plus or minus, as appropriate, an amount equal to the difference between the federal basis and Wisconsin basis of

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any asset sold, exchanged, abandoned or otherwise disposed of in a taxable transaction during the taxable year, except as provided in s. 71.01 (4) (a) and except as follows:

SECTION 1268p. 71.02 (1) (c) 8 to 11 of the statutes are amended to read:

71.02 (1) (c) 8. For taxable year 1983, 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, 1982, "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, 1982, except that "internal revenue code" does not include section 168 (f) (8) of the code (relating to a special rule for leases), 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, and except that "internal revenue code" includes changes to that code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and P.L. 98-4. For the purposes of this subdivision, s. 71.04 (15) (b), (d), (er), (f), (fn), (fo), (fp) and (fq), 1983 stats., apply as appropriate.

9. For taxable year 1984, 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), 1983 stats., apply as appropriate.

10. For taxable year 1985, 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), 1985 stats., apply as appropriate.

11. For taxable year 1986 ~~and subsequent years~~, except for depreciable property that is residential real property or, if the taxpayer's Wisconsin gross farm receipts or sales exceed \$155,000 ~~for taxable year 1986 or for taxable year 1987 or thereafter exceed 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~~, 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, 1985, "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, 1985, 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), 1985 stats., apply as appropriate.

SECTION 1268s. 71.02 (1) (c) 12 of the statutes is created to read:

71.02 (1) (c) 12. For taxable year 1987 and subsequent years, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years, except that property that, under subs. 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987 and thereafter.

SECTION 1268w. 71.02 (1) (d) of the statutes is amended to read:

71.02 (1) (d) "Net income or loss" of a tax-option corporation means ~~gross income less the allowable deductions under s. 71.04, other than the deduction under s. 71.04 (4), and less any net business loss carry forward under s. 71.06 from taxable years prior to 1979.~~ For purposes of this paragraph, the total net business loss carry forward shall be offset against total net income or loss computed under this chapter as if section 1363 (a), (b) and (c) of the internal revenue code did not apply plus any deduction for dividends received that is claimed in computing net income or loss.

SECTION 1268y. 71.02 (1) (dm) of the statutes is created to read:

71.02 (1) (dm) "Nuclear decommissioning reserve fund" and "nuclear decommissioning trust fund" have the meanings under section 468A of the internal revenue code.

SECTION 1269b. 71.02 (1) (fm) of the statutes is created to read:

71.02 (1) (fm) "Taxable year" means the taxable year coinciding with the calendar year named and all other taxable years ending on or after July 1 in that calendar year or on or before the June 30 of the following calendar year. The taxable period for the taxable year is the taxable period upon the basis of which the taxable income of the taxpayer is computed for federal income tax purposes. The taxable year of a corporation that keeps its accounting records on the basis of a 52-53 week period ends on the last day of the month closest to the end of the 52-53 week period.

SECTION 1269f. 71.02 (1) (g) of the statutes is amended to read:

71.02 (1) (g) "Tax-option corporation" means a corporation which has elected and qualified to be taxed under subchapter S of the internal revenue code, ~~and which has not terminated or had such that election terminated and which has not changed its status under s. 71.042 (4) (a).~~

SECTION 1269k. 71.02 (1) (m) of the statutes is created to read:

71.02 (1) (m) Except as provided in s. 71.01 (4) (a) (intro.), "Wisconsin net income", for corporations engaged in business wholly within this state, means net income and, for corporations engaged in business both within and outside this state, means the amount assigned to this state under s. 71.07 (2) (intro.) or by a separate accounting or allocation, if allowed under s. 71.07 (2) (intro.), or by another method approved under s. 71.07 (3) or (5).

SECTION 1269p. 71.02 (2) (intro.) of the statutes is amended to read:

71.02 (2) DEFINITIONS APPLICABLE TO NATURAL PERSONS AND FIDUCIARIES. (intro.) As used in In this chapter in regard to natural persons and fiduciaries, except

fiduciaries of nuclear decommissioning trust or reserve funds:

SECTION 1269s. 71.02 (2) (d) 9 of the statutes is amended to read:

71.02 (2) (d) 9. For the taxable year 1983, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1982, except that for taxable year 1983 it includes section 214 of the internal revenue code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 with the modification that the applicable work requirements are those under section 44A of the internal revenue code as amended to December 31, 1982, and except that for taxable year 1983 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 includes changes to the code enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and, P.L. 98-4 and section 721 (r) of P.L. 98-369; 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. Except for changes enacted by P.L. 97-424, P.L. 97-448, P.L. 97-473 and, P.L. 98-4 and section 721 (r) of P.L. 98-369, amendments to the internal revenue code enacted after December 31, 1982, do not apply to this subsection with respect to taxable year 1983.

SECTION 1269w. 71.02 (2) (d) 10 of the statutes is amended to read:

71.02 (2) (d) 10. For taxable year 1984, 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, it includes the changes made to section 1368 of the internal revenue code by section 721 (r) of P.L. 98-369 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 Except for changes enacted by section 721 (r) of P.L. 98-369, amendments to the internal revenue code enacted after December 31, 1983, do not apply to this subsection with respect to taxable year 1984.

SECTION 1269y. 71.02 (2) (d) 12 of the statutes is amended 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, 1985, 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 exceeds \$27,500 for a married person filing separately, or gross farm profit exceeds \$155,000, or exceeds \$77,500 for a married person filing separately, ~~for taxable year 1986 or for taxable year 1987 or thereafter exceeds any of those dollar amounts as indexed under s. 71.09 (2) without regard to s. 71.09 (2e) and except that the amounts applicable to married persons filing separately shall be set at 50% of the amounts applicable to other persons~~, 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, 1985, do not apply to this subsection with respect to taxable year 1986 ~~and thereafter~~.

SECTION 1270b. 71.02 (2) (d) 13 of the statutes is created to read:

71.02 (2) (d) 13. For taxable year 1987 and subsequent years, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subsection with respect to taxable year 1987 and thereafter.

SECTION 1270f. 71.02 (2) (eg) of the statutes is amended to read:

71.02 (2) (eg) "Married person" or "spouse" means a person determined under section ~~143~~ 7703 (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 1270k. 71.02 (2) (fr) (intro.) of the statutes is amended to read:

71.02 (2) (fr) (intro.) "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, or, for a corporation which was incorporated during the calendar year in which the stock is issued, as of the date of the acquisition of the stock, fulfills all

the following requirements and so certifies to the taxpayer upon acquisition:

SECTION 1270p. 71.02 (2) (fr) 3 of the statutes is amended to read:

71.02 (2) (fr) 3. Derives no more than 25% of its gross receipts from rents, interest, dividends and sales of intangible investment assets combined unless the corporation derives less than \$3,000 of that income and has not been incorporated for more than 2 calendar years.

SECTION 1270q. 71.02 (2) (fr) 5 of the statutes is repealed.

SECTION 1270s. 71.02 (2) (km) 2m of the statutes is amended 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 1270w. 71.02 (2) (km) 2n of the statutes is created to read:

71.02 (2) (km) 2n. For taxable year 1987 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 \$7,560. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least \$10,000 but not more than \$70,480, the standard deduction is the amount obtained by subtracting from \$7,560 12.5% 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 \$70,480, 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 \$3,590. For a married individual filing separately who has a Wisconsin adjusted gross income of at least \$4,750 but not more than \$33,470, the standard deduction is the amount obtained by subtracting from \$3,590 12.5% 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 \$33,470, 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 1270y. 71.02 (2) (km) 2p of the statutes is created to read:

71.02 (2) (km) 2p. For taxable year 1988 and thereafter 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 \$8,900. For a married couple filing jointly that has an aggregate Wisconsin adjusted gross income of at least \$10,000 but not more than \$55,000, the standard deduction is the amount obtained by subtracting from \$8,900 19.778% 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

\$55,000, 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 \$4,230. For a married individual filing separately who has a Wisconsin adjusted gross income of at least \$4,750 but not more than \$26,140, the standard deduction is the amount obtained by subtracting from \$4,230 19.778% 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 \$26,140, 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 1271b. 71.02 (2) (kr) of the statutes is repealed.

SECTION 1271f. 71.03 (title) of the statutes is amended to read:

71.03 (title) Exclusions for individuals; reciprocity.

SECTION 1271k. 71.03 (1) of the statutes is repealed.

SECTION 1271n. 71.03 (2) (a) of the statutes is repealed.

SECTION 1271s. 71.03 (2) (b) of the statutes is repealed.

SECTION 1271w. 71.03 (2) (f) of the statutes is repealed.

SECTION 1271y. 71.03 (5) of the statutes is repealed.

SECTION 1272b. 71.03 (6) of the statutes is repealed.

SECTION 1272f. 71.035 of the statutes is repealed.

SECTION 1272k. 71.04 of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1272p. 71.04 (2) (b) 11 to 17 of the statutes are amended to read:

71.04 (2) (b) 11. Expenses allowable under section 162 or 212 of the internal revenue code and not disallowed 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 162 or 212 of the internal revenue code and not disallowed 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 162 or 212 of the internal revenue code and not disallowed 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 274 of the internal revenue code for conventions, meetings or seminars held on cruise ships and not treated as income.

17. Business travel expenses allowable under section 162, 212 or 212 of the internal revenue code and not disallowed under section 274 of the internal revenue code for travel as a form of education.

SECTION 1272s. 71.041 of the statutes is repealed.

SECTION 1272w. 71.042 (1) of the statutes is renumbered 71.042 (2) and amended to read:

71.042 (2) ~~Beginning with calendar year 1979 or corresponding fiscal year, the amount of net income for the current year of a tax-option corporation may be deducted from gross income if the Wisconsin adjusted gross income reported by all its resident shareholders includes their proportionate share of the corporation's net income and the Wisconsin adjusted gross income reported by all its nonresident shareholders includes their proportionate share of the corporation's net income under s. 71.07 (1) and (2m) A tax-option corporation may deduct from its net income all amounts included in the Wisconsin adjusted gross income of its shareholders and all amounts not taxable to nonresident shareholders under s. 71.07. The proportionate share of the net loss of a tax-option corporation for taxable year 1979 and thereafter shall be attributed and made available to shareholders but limited on a Wisconsin basis as prescribed by section 1374 (e) (2) 1366 (d) of the internal revenue code. Net operating losses of the corporation to the extent attributed or made available to a shareholder may not be used by the corporation for further tax benefit. For purposes of reporting net income and attributing and limiting net loss under this subsection, items of income and loss of the tax-option corporation that would be capital gains or losses if attributed to an~~

individual shall retain their character as net income or loss and business income or loss under s. 71.07 but shall be treated by the shareholders as capital gain or loss in computing their Wisconsin adjusted gross income. For purposes of computing the Wisconsin adjusted gross income of shareholders, items of income and loss and deductions shall be reported by the shareholders and those items other than capital gains and losses shall retain the character they would have if attributed to the corporation, including their character as business income. In computing the tax liability of a shareholder, no credit against gross tax that would be available to the tax-option corporation if it were a nontax-option corporation may be claimed, and losses and deductions are limited as provided under section 1366 (d) (1) of the internal revenue code.

SECTION 1272y. 71.042 (2) of the statutes is renumbered 71.042 (1).

SECTION 1273b. 71.042 (3) to (5) of the statutes are created to read:

71.042 (3) A tax-option corporation shall separately state all items of income, loss and deduction the separate treatment of which may affect the liability of any shareholder for tax under this chapter.

(4) (a) If persons who hold more than 50% of the shares on the day on which the election is made consent, a corporation that is an S corporation for federal income tax purposes may elect, on or before the due date or extended due date of its return under this chapter, not to be a tax-option corporation for that taxable year and for later taxable years until its status is again changed.

(b) No corporation electing under par. (a) and no successor of such a corporation may be a tax-option corporation for any of the next 4 taxable years after the taxable year to which its election under par. (a) first applies.

(5) (a) In this subsection, "tax-option item" is an item of income, loss or deduction.

(b) The tax treatment of all tax-option items shall be determined at the corporate level.

(c) All shareholders of tax-option corporations shall treat tax-option items on their returns under this chapter in a manner consistent with the manner in which those items are treated on the corporation's Wisconsin income or franchise tax return or shall notify the department of revenue of any inconsistency and the reason for it.

(d) A tax-option corporation shall notify all shareholders of any administrative or judicial proceeding about the determination of any tax-option item.

SECTION 1273f. 71.043 (1) of the statutes is repealed.

SECTION 1273k. 71.043 (2) of the statutes is amended to read:

71.043 (2) The tax imposed upon or measured by corporation Wisconsin net income of the taxable year 1973 and subsequent taxable years pursuant to under

s. 71.01 (1) or (2) ~~may shall~~ be reduced by an amount equal to the sales and use tax under ch. 77 paid by the corporation in such taxable year on fuel and electricity consumed in manufacturing tangible personal property in this state.

SECTION 1273p. 71.043 (3) of the statutes is repealed and recreated to read:

71.043 (3) If the credit computed under sub. (2) is not entirely offset against Wisconsin income or franchise taxes otherwise due, the unused balance shall be carried forward and credited against Wisconsin income or franchise taxes otherwise due for the following 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 1273s. 71.043 (3g) of the statutes is created to read:

71.043 (3g) The shareholders of a tax-option corporation may not claim the credit attributable to that corporation under this section.

SECTION 1273w. 71.045 of the statutes is repealed.

SECTION 1273y. 71.046 of the statutes is repealed.

SECTION 1274b. 71.047 of the statutes is repealed.

SECTION 1274f. 71.05 (1) (a) 1 of the statutes is amended to read:

71.05 (1) (a) 1. The amount of any interest, except interest under par. (b) 1, less related expenses, excluded solely by reason of section 103 of the internal revenue code (relating to interest received on state and municipal obligations and on volunteer fire department and mass transit obligations) which is not included in federal adjusted gross income.

SECTION 1274k. 71.05 (1) (a) 7 of the statutes is repealed.

SECTION 1274p. 71.05 (1) (a) 10 of the statutes is amended to read:

71.05 (1) (a) 10. Any amount received in taxable year 1979 or thereafter by a Wisconsin resident shareholder as a proportionate share of the earnings and profits of a tax-option corporation which was accumulated prior to the beginning of its 1979 taxable year and not considered a dividend when received under section 1375 (d) ~~+ (1)~~ of the internal revenue code as amended to December 31, 1978.

SECTION 1274s. 71.05 (1) (a) 17 of the statutes is repealed.

SECTION 1274w. 71.05 (1) (a) 26 of the statutes is amended to read:

71.05 (1) (a) 26. ~~Combined net losses, exclusive of net gains, for the taxable year~~ For the taxable year, combined net losses, exclusive of net gains from the sale or exchange of capital or business assets and exclusive of net profits, from businesses, from rents, from partnerships, from S corporations, from estates or from trusts, under section 165 of the internal reve-

nue 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 the amounts applicable to married persons filing separately are 50% of the amounts specified in this subdivision ~~and except that, beginning with taxable year 1987, the dollar amounts of nonfarm Wisconsin adjusted gross income, including the amounts applicable to married persons filing separately, shall be indexed under s. 71.09 (2) without regard for s. 71.09 (2e) and except that for that indexing the amounts applicable to married persons filing separately shall be set at 50% of the amounts applicable to other persons.~~

SECTION 1275b. 71.05 (1) (a) 27 of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1275f. 71.05 (1) (a) 27. a and c to g of the statutes are amended to read:

71.05 (1) (a) 27. a. Expenses allowable under section 162 or 212 of the internal revenue code and not disallowed 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 162 or 212 of the internal revenue code and not disallowed 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 employees on the taxpayer's premises.

d. Business travel expenses allowable under section ~~162, 212~~ or 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 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 212 of the internal revenue code and not disallowed under section 274 of the internal revenue code for travel as a form of education.

SECTION 1275k. 71.05 (1) (a) 28 of the statutes is created to read:

71.05 (1) (a) 28. Expenses paid by a fiduciary that have been deducted under section 212 of the internal revenue code and also have been deducted or will be deducted under s. 72.14 (1) (c).

SECTION 1275p. 71.05 (1) (a) 29 of the statutes is created to read:

71.05 (1) (a) 29. All alimony deducted for federal income tax purposes and paid while the individual paying the alimony was a nonresident of this state; all penalties for early withdrawals from time savings accounts and deposits deducted for federal income tax purposes and paid while the individual charged with the penalty was a nonresident of this state; all repayments of supplemental unemployment compensation benefits deducted for federal income tax purposes and made while the individual making the repayment was a nonresident of this state; all reforestation expenses related to property not in this state, deducted for federal income tax purposes and paid while the individual paying the expense was not a resident of this state; all contributions to individual retirement accounts, simplified employee pension plans and self-employment retirement plans and all deductible employee contributions, deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's wages and net earnings from a trade or business taxable by this state and the denominator of which is the individual's total wages and net earnings from a trade or business; and the contributions to a Keogh plan deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business.

SECTION 1275s. 71.05 (1) (a) 30 of the statutes is created to read:

71.05 (1) (a) 30. The amount claimed by a fiduciary as an itemized deduction under section 164 of the internal revenue code on the federal fiduciary return.

SECTION 1275w. 71.05 (1) (b) (intro.) of the statutes is amended to read:

71.05 (1) (b) (intro.) Subtract, to the extent included in federal taxable or adjusted gross income unless the modification is an item other than a capital gain deduction under s. 71.042 (2) that is passed through to an individual from a tax-option corporation and would be included in that corporation's income if it were not a tax-option corporation.

SECTION 1275y. 71.05 (1) (b) 1 of the statutes is amended to read:

71.05 (1) (b) 1. The amount of any interest or dividend income, ~~less related expenses,~~ which is by federal law exempt from taxation by this state.

SECTION 1276b. 71.05 (1) (b) 4 of the statutes is amended to read:

71.05 (1) (b) 4. Any other amount not subject to taxation under this chapter, less any amount allocable thereto which has been deducted in the computation of federal taxable or adjusted gross income except amounts used to calculate the credit under s. 71.09 (6r).

SECTION 1276f. 71.05 (1) (b) 8m of the statutes is amended to read:

71.05 (1) (b) 8m. Disability payments, if the individual either is single or is married and files a joint return, to the extent those payments are excludable under section 105 (d) of the internal revenue code as it existed immediately prior to its repeal in 1983 by section 122 (b) of P.L. 98-21, except that if an individual is divorced during the taxable year that individual may subtract an amount only if that person is disabled and the amount that may be subtracted then is \$100 for each week that payments are received or the amount of disability pay reported as income, whichever is less. If the exclusion under this subdivision is claimed on a joint return and only one of the spouses is disabled, the maximum exclusion is \$100 for each week that payments are received or the amount of disability pay reported as income, whichever is less.

SECTION 1276k. 71.05 (1) (b) 13 of the statutes is created to read:

71.05 (1) (b) 13. Expenses paid by a fiduciary that the fiduciary irrevocably specifies in writing have not been deducted under section 212 of the internal revenue code and have not been, and will not be, deducted under s. 72.14 (1) (c).

SECTION 1276p. 71.05 (1) (b) 15 of the statutes is created to read:

71.05 (1) (b) 15. The difference between the amount included in federal adjusted gross income for the current year and the amount calculated under section 85 of the internal revenue code (relating to unemployment compensation) as that section existed on December 31, 1985.

SECTION 1276rs. 71.05 (1) (b) 16 of the statutes is created to read:

71.05 (1) (b) 16. ~~None of the capital gain on assets held one year or less, 30% of the capital gain on assets held more than one year but not more than 5 years and 60% of the capital gain on assets held more than 5 years. In this subdivision, "capital gain" means capital gain as computed under the internal revenue code, not including amounts treated as ordinary income for federal income tax purposes because of the recapture of depreciation or any other reason. For purposes of this subdivision, the capital gains and capital losses for all assets held for each of the holding periods shall be netted before application of the percentage for that holding period.~~

Vetoed
in Part

Vetoed
in Part

SECTION 1276s. 71.05 (1) (f) 2 of the statutes is amended to read:

71.05 (1) (f) 2. Any amount affecting the computation of a shareholder's federal adjusted gross income for taxable year 1979 under section 1373 or 1374 of the internal revenue code as amended to December 31, 1978, as the shareholder's proportionate share of a tax-option corporation's federal taxable income or loss for taxable year 1978.

SECTION 1276w. 71.05 (1) (f) 3 of the statutes is amended to read:

71.05 (1) (f) 3. ~~The~~ Except as provided in sub. (5), the shareholder's proportionate share of the amount by which net income or loss any item of income, loss or deduction of a tax-option corporation subject to taxation under this chapter differs from federal taxable income or, loss or deduction of the corporation for the same year attributed to its shareholders, and any amount necessary to prevent the double inclusion or omission of any item of income, loss, deduction or basis, except that credits against gross tax may not be subtracted under this subdivision.

SECTION 1276x. 71.05 (1) (f) 4 of the statutes is created to read:

71.05 (1) (f) 4. The amount required so that the net capital loss, after netting of the capital gains and capital losses for each holding period under par. (b) 16 and ~~the netting of those results to arrive at total capital gain or loss,~~ is offset against ordinary income only to the extent of \$500. Losses in excess of \$500 shall be carried forward to the next taxable year and offset against ordinary income up to the limit under this subdivision. Losses shall be used in the order in which they accrue.

Vetoed
in Part

SECTION 1276y. 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 differ-

ence 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 shall be deemed property properly includable for inheritance tax purposes.

SECTION 1277b. 71.05 (1) (g) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

71.05 (1) (g) Add or subtract, as appropriate, on sale, exchange, abandonment or other disposition in a transaction in which gain or loss is recognized by the owner of property acquired from a decedent, the difference between the federal basis and the Wisconsin basis. For this purpose, property acquired from a decedent is as described in section 1014 of the internal revenue code, exclusive of property constituting income under section 102 (b) of the internal revenue code. The Wisconsin basis of property acquired from a decedent is determined under the internal revenue code, except that the value used for property is the value properly includable for Wisconsin death tax purposes rather than the value of property includable for federal estate tax purposes. In this paragraph, property deemed to be includable for Wisconsin death tax purposes includes exempt property under s. 72.15 (5), 1985 stats., but the exclusion under s. 72.12 (6) (b), 1985 stats., is not deemed to be property properly includable. If at least 50% of the marital property held by a decedent and the decedent's surviving spouse is includable for purposes of computing the federal estate tax, all of the decedent's and the decedent's spouse's marital property and all of the decedent's individual property is deemed property properly includable for Wisconsin death tax purposes.

SECTION 1277f. 71.05 (1) (gm) of the statutes is created to read:

71.05 (1) (gm) Add to or subtract from federal adjusted gross income, as appropriate:

1. The amount necessary to reflect the inapplicability of section 66 (a) of the internal revenue code to the computation of income under this chapter.

2. The amount necessary to reflect the applicability of ss. 71.01 (1g) and (1r) and 71.11 (2m) to the computation of income under this chapter.

3. The amount necessary to reflect any other differences between the treatment of marital income for federal income tax purposes and the treatment of marital income under this chapter or under rules promulgated under this chapter.

SECTION 1277k. 71.05 (1) (km) of the statutes is repealed.

SECTION 1277p. 71.05 (2r) of the statutes is amended 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, under s. 71.02 (2) (d) 12, is required to be depreciated for taxable year 1986 under the internal revenue code as amended to December 31, 1980, and that was 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 1277s. 71.05 (2s) of the statutes is created to read:

71.05 (2s) DEPRECIATION CONTINUATION. Property that, under s. 71.02 (2) (d) 12, is required to be depreciated for taxable year 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

SECTION 1277w. 71.05 (2t) of the statutes is amended 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, under s. 71.02 (2) (d) 12, is required to be depreciated for taxable year 1986 under the internal revenue code as amended to December 31, 1980, and that was 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 1277y. 71.05 (2u) of the statutes is amended 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, under s. 71.02 (2) (d) 12, is required to be depreciated for taxable year 1986 under the internal revenue code as amended to December 31, 1980, and that was 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 1278b. 71.06 (1) of the statutes is amended to read:

71.06 (1) A corporation, ~~except a tax-option corporation or an insurer to which s. 71.01 (4) (dm) applies,~~ may offset against its Wisconsin net business income any Wisconsin net business loss sustained in any of the next 15 preceding ~~income taxable~~ 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 in computing net income.~~ 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 1278f. 71.06 (3) of the statutes is repealed.

SECTION 1278k. 71.07 (1) of the statutes is amended to read:

71.07 (1) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (2), (3) or (5), shall follow the situs of the business from which derived. All ~~income or loss items of income, loss and deductions~~ of nonresident individuals and nonresident estates and trusts derived from a tax-option corporation not requiring apportionment under sub. (2m), shall follow the situs of the business of the corporation from which derived. Income or loss of nonresident individuals and nonresident estates and trusts derived from rentals and royalties from real estate or tangible personal property, or from the operation of any farm, mine or quarry, or from the sale of real property or tangible personal property shall follow the situs of the property from

which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in ~~sub. subs. (2m) and (7).~~

SECTION 1278p. 71.07 (1g) of the statutes is created to read:

71.07 (1g) PARTNERS. (a) *Part-year residents, time of residence.* Partners who are residents of this state for less than a full taxable year shall compute taxes for that year on their share of partnership income or loss under this chapter on the part of the taxable year during which they are residents in the following manner:

1. Assign an equal portion of each item of income, loss or deduction to each day of the partnership's taxable year.

2. Multiply each daily portion of those items of income, loss or deduction by a fraction that represents the partner's portion, on that day, of the total partnership interest.

3. Net the items of income, loss or deduction, after the calculation under subd. 2, for all the days during which the partner was a resident of this state.

(b) *Part-year residents, nonresidents.* 1. General partners who are residents of this state for less than a full taxable year or who are nonresidents shall compute taxes for that year on their share of partnership income or loss under this chapter for the part of the taxable year during which they are nonresidents by recognizing their proportionate share of all items of income, loss or deduction attributable to a business in, services performed in, or rental of property in, this state.

2. Limited partners who are precluded from management of the partnership and who may not act for the partnership may not recognize any items of income, loss or deduction of the partnership in computing taxes on their share of partnership income or loss under this chapter for the part of the taxable year during which they are nonresidents of this state.

(c) *Disregarding agreements.* In computing taxes under this chapter a partner shall disregard all provisions in partnership agreements that do any of the following:

1. Characterize the consideration for payments to the partner as services or the use of capital.

2. Allocate to the partner, as income from or gain from sources outside this state, a greater proportion of the partner's distributive share of partnership income or gain than the ratio of partnership income or gain from sources outside this state to partnership income or gain from all sources.

3. Allocate to a partner a greater proportion of a partnership item of loss or deduction from sources in

this state than the partner's proportionate share of total partnership loss or deduction.

4. Determine a partner's distributive share of an item of partnership income, gain, loss or deduction for federal income tax purposes if the principal purpose of that determination is to avoid or evade the tax under this chapter.

SECTION 1278s. 71.07 (2) (intro.) of the statutes is amended to read:

71.07 (2) (intro.) Corporations, nonresident individuals and nonresident estates and trusts engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such corporation, nonresident individual or nonresident estate or trust within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all ~~business businesses~~ except financial organizations and public utilities there shall first be deducted from the total net income of the taxpayer ~~such~~ the part thereof (less related expenses, if any) ~~as that follows the situs of the property or the residence of the recipient; except that in the case of income which follows the residence of the recipient, the amount of interest and dividends deductible under this provision shall be limited to the total interest and dividends received which are in excess of the total interest (or related expenses, if any) paid and allowable as a deduction under s. 71.04 during the income year.~~ The remaining net income shall be apportioned to Wisconsin ~~by multiplying such net income by a fraction, the numerator of which is the sum of the property factor, the payroll factor and the sales factor, and the denominator of which is the number 3. Beginning with calendar year 1974, or corresponding fiscal year, and thereafter, in lieu of the equally weighted 3-factor apportionment fraction based on property, payroll and sales, there shall be used~~ use of an apportionment fraction composed of a sales factor representing 50% of the fraction, a property factor representing 25% of the fraction and a payroll factor representing 25% of the fraction.

SECTION 1278w. 71.07 (2) (b) of the statutes is repealed and recreated to read:

71.07 (2) (b) 1. The payroll factor is a fraction, the numerator of which is the total amount paid in this state during the tax period by the taxpayer for compensation, and the denominator of which is the total compensation paid everywhere during the tax period.

2. Compensation is paid in this state if:

a. The individual's service is performed entirely within this state;

b. The individual's service is performed within and without this state, but the service performed without this state is incidental to the individual's service within this state;

c. A portion of the service is performed within this state and the base of operations of the individual is in this state;

d. A portion of the service is performed within this state and, if there is no base of operations, the place from which the individual's service is directed or controlled is in this state;

e. A portion of the service is performed within this state and neither the base of operations of the individual nor the place from which the service is directed or controlled is in any state in which some part of the service is performed, but the individual's residence is in this state; or

f. The individual is neither a resident of nor performs services in this state but is directed or controlled from an office in this state and returns to this state periodically for business purposes and the state in which the individual resides does not have jurisdiction to impose income or franchise taxes on the employer.

3. Compensation related to the operation, maintenance, protection or supervision of property used in the production of both apportionable and nonapportionable income or losses shall be partially excluded from the numerator and denominator of the payroll factor so as to exclude, as near as possible, the portion of pay related to the operation, maintenance, protection and supervision of property used in the production of nonapportionable income.

4. In this paragraph, compensation includes deductible management or service fees paid to a related corporation as consideration for the performance of personal services, and the situs of those fees is in this state if the services fulfill one of the requirements under subd. 2. The recipient of the fees may not include the compensation paid to its employees with respect to personal services in either the numerator or denominator of its payroll factor. Except for management or service fees, payments made to a related corporation, an independent contractor or any person not properly classifiable as an employee are excluded. In this subdivision, "related corporation" means a corporation which is part of a controlled group as defined in section 267 (f) (1) of the internal revenue code.

5. If the company has no employees and pays no management or service fees or the department determines that employees are not a substantial income-producing factor and that the management or service fees paid are insubstantial, the department may order or permit the elimination of the payroll factor and use only the arithmetical average of the other 2 factors to arrive at the Wisconsin apportionment percentage.

SECTION 1278y. 71.07 (2) (c) 3 of the statutes is amended to read:

71.07 (2) (c) 3. Sales, other than sales of tangible personal property, are in this state if the income-producing activity is performed in this state. If the income-producing activity is performed both in and outside this state the sales shall be divided between those states having jurisdiction to tax such business in proportion to the direct costs of performance incurred in each such state in rendering this service. Services performed in states which do not have jurisdiction to tax the business shall be deemed to have been performed in the state to which compensation is allocated by par. (b) ~~4~~.

SECTION 1279b. 71.07 (2) (cr) 8 of the statutes is amended to read:

71.07 (2) (cr) 8. Dividends deductible ~~under s. 71.04 (4) by corporations in determining net income.~~

SECTION 1279f. 71.07 (2) (d) 2 of the statutes is amended to read:

71.07 (2) (d) 2. "Public utility", as used in this section, means any business entity ~~a) which owns or operates any plant, equipment, property, franchise, or license for the transmission of communications, transportation of goods or persons or the production, transmission, sale, delivery, or furnishing of electricity, water or steam; and b) whose, the rates of charges for goods or services of which have been established or approved by a federal, state or local government or governmental agency.~~ "Public utility" also means any business entity providing service to the public and engaged in the transportation of goods and persons for hire, as defined in s. 194.01 (4), regardless of whether or not the entity's rates or charges for services have been established or approved by a federal, state or local government or governmental agency.

SECTION 1279k. 71.07 (2m) of the statutes is amended to read:

71.07 (2m) Nonresident individuals and nonresident estates and trusts deriving income from a tax-option corporation which is engaged in business within and without this state shall be taxed only on the income of the corporation derived from business transacted and property located in this state and losses and other items of the corporation deductible by such shareholders shall be limited to their proportionate share of the Wisconsin loss or other item. For purposes of this subsection, all intangible income of tax-option corporations passed through to shareholders is business income that follows the situs of the business.

SECTION 1279p. 71.08 (1) of the statutes is amended to read:

71.08 (1) The tax imposed by this chapter on individuals and the rates under s. 71.09 (1e) ~~or (1f) to (1h)~~ shall apply to the Wisconsin taxable income of estates or trusts, except nuclear decommissioning trust or reserve funds, and that tax shall be paid by the fiduciary.

SECTION 1279s. 71.09 (1e) (intro.) of the statutes is amended to read:

71.09 (1e) (intro.) 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:

SECTION 1279w. 71.09 (1f) (intro.) of the statutes is amended to read:

71.09 (1f) (intro.) 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:

SECTION 1279y. 71.09 (1g) and (1h) of the statutes are created to read:

71.09 (1g) The tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and single individuals for calendar year 1987 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, 4.9%.

(b) On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.55%.

(c) On all taxable income exceeding \$15,000, 6.93%.

(1h) The tax to be assessed, levied and collected upon the taxable incomes of all married persons for calendar year 1987 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, 4.9%.

2. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.55%.

3. On all taxable income exceeding \$20,000, 6.93%.

(b) For married persons filing separately:

1. On all taxable income from \$0 to \$5,000, 4.9%.

2. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.55%.

3. On all taxable income exceeding \$10,000, 6.93%.

SECTION 1280f. 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. Except as provided in sub. (2e), commencing with calendar year 1987 and corresponding fiscal years and thereafter, the dollar amounts in 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, 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 1280k. 71.09 (2e) of the statutes is repealed.

SECTION 1280p. 71.09 (2f) of the statutes is amended 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 1280s. 71.09 (2h) of the statutes is amended to read:

71.09 (2h) The taxes to be assessed, levied and collected upon taxable Wisconsin net incomes of corporations for the calendar year 1981 and corresponding fiscal years and for calendar and fiscal years thereafter shall be computed at the rate of 7.9%.

SECTION 1280w. 71.09 (2n) of the statutes is amended to read:

71.09 (2n) The corporation franchise tax imposed under s. 71.01 (2) and measured by Wisconsin net income of the calendar year 1981 and corresponding fiscal years and calendar and fiscal years thereafter shall be computed at the rate of 7.9%.

SECTION 1280y. 71.09 (6p) (b) of the statutes is amended to read:

71.09 (6p) (b) An exemption of \$50 for each person for whom the taxpayer is entitled to an exemption for the taxable year under section 151 (e) (c) of the federal internal revenue code.

SECTION 1378p. 71.09 (6r) (a) of the statutes is amended to read:

71.09 (6r) (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 U.S. 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 allowed as an itemized deduction under section 163 of the internal revenue code and paid to acquire agricultural property, as defined in s. 93.50 (1) (am), other than a residence, if that property was personally operated or leased as farmland by the taxpayer during the period of ownership and is subsequently sold by the taxpayer on a land contract, to a buyer who agrees, in writing, to continue to personally operate the property as farmland over the term of the contract, for which interest income is reported by the taxpayer; the amount of interest, up to \$1,200, or up to \$600 for a married person filing separately, 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 or paid to acquire agricultural property, other than a residence, that is sold on a land contract for which interest income is reported; 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; and the amount claimed as an itemized deduction for federal income tax purposes for repayment of income previously taxed under this chapter under the claim of right doctrine.

SECTION 1378r. 71.09 (6r) (a) of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed and recreated to read:

71.09 (6r) (a) Add the amount expended by an adoptive parent or a prospective adoptive parent in **Vetoed in Part**

Vetoed
in Part

~~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 the allowable medical deductions under section 213 of the internal revenue code exceeds 7.5% of the person's federal adjusted gross income to the amounts allowed as itemized deductions under the internal revenue code except:~~

1. Interest paid to purchase or hold securities issued by the federal government or by any of its instrumentalities the interest on which is exempt from taxation under s. 71.05 (1) (b) 1.

2. Taxes under section 164 of the internal revenue code.

3. Casualty and theft deductions under section 165 (c) (3) of the internal revenue code.

4. Expenses to move from this state under section 217 of the internal revenue code.

5. Interest incurred to purchase a residence that is neither a primary residence nor is in this state and interest incurred to purchase a residence that is a boat.

Vetoed
in Part

~~6. The amount claimed for repayment of income previously taxed under this chapter under the claim of right doctrine.~~

7. The amount of interest in excess of \$1,200, or \$600 for a married person filing separately, not paid on a loan to purchase or refinance a residence and not paid on a land contract.

SECTION 1378u. 71.09 (6r) (b) of the statutes is amended to read:

71.09 (6r) (b) Subtract the standard deduction under s. 71.02 (2) (km) ~~2m~~ from the amount under par. (a).

SECTION 1378y. 71.09 (6r) (d) of the statutes is amended to read:

71.09 (6r) (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 subsection 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 credit under this subsection on a joint return is ~~determined by multiplying the credit under this subsection 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 shall be limited to the fraction of the amount so determined that their joint Wisconsin adjusted gross income and the denominator of which is of their joint federal adjusted gross income.~~

SECTION 1379. 71.09 (7) (a) 1 of the statutes is amended to read:

71.09 (7) (a) 1. "Claimant" means a person who has filed a claim under this subsection and who was domiciled in this state during the entire calendar year ~~preceeding the year in which the person files to which the claim for credit under this subsection relates.~~ When 2 individuals of a household are able to meet the qualifications for a claimant, they may determine between them as to who the claimant ~~shall be is.~~ If they are unable to agree, the matter shall be referred to the secretary of revenue and the secretary's decision ~~shall be is~~ final.

SECTION 1380. 71.09 (7) (a) 2 of the statutes is amended to read:

71.09 (7) (a) 2. "Gross rent" means rental paid at arm's length, solely for the right of occupancy of a homestead, exclusive of charges for any utilities, services, furniture, furnishings or personal property appliances food furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. ~~In any case in which the landlord and tenant have not dealt with each other at arm's length and the department is satisfied that the gross rent charged was excessive, the department may adjust such gross rent to a reasonable amount for purposes of this subsection.~~ "Gross rent" includes the ~~space~~ rental paid to a landlord for parking of a mobile home, exclusive of any charges for utilities, services, furniture and furnishings or personal appliances food furnished by the landlord as a part of the ~~space~~ rental. ~~Twenty five per cent of such annual gross rental plus the monthly parking permit fees paid during the year shall be the annual "property taxes accrued" agreement, plus parking fees paid under s. 66.058 (3) (c) for a rented mobile home.~~ If a homestead is an integral part of a multipurpose or multidwelling building, "gross rent" is the percentage of the gross rent on that part of the multipurpose or multidwelling building occupied by the household as a principal residence plus the same percentage of the gross rent on 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 under par. (h) apply. If the homestead is part of a farm, "gross rent" is the rent on up to 120 acres of the land contiguous to the claimant's principal residence plus the rent on all improvements to real property on that land, except as the limitations under par. (h) apply. If a claimant and persons who are not members of the claimant's household reside in a homestead, the claimant's "gross rent" is the gross rent paid for the homestead divided by the number of adults residing in the homestead and not related to the claimant as husband or wife.

SECTION 1381. 71.09 (7) (a) 3 of the statutes is amended to read:

71.09 (7) (a) 3. "Homestead" means the dwelling, whether rented or owned or rented, including owned as a joint tenant or tenant in common, or occupied as a buyer in possession under a land contract, and so

~~much of the land surrounding it, not exceeding one acre, as that is reasonably necessary for use of the dwelling as a home, and may consist of a part of a multidwelling or multipurpose building and a part of the land upon which it is built. ("Owned" includes a vendee in possession under a land contract and of one or more joint tenants or tenants in common.) It does not include personal property such as furniture, furnishings or appliances, but a mobile home may be a homestead.~~

SECTION 1382. 71.09 (7) (a) 6 of the statutes is amended to read:

Vetoed
in Part

71.09 (7) (a) 6. "Income" means the sum of adjusted gross income as defined in s. 71.02 (2) (i), ~~except for amounts received under s. 74.027, and the following amounts, to the extent not included in adjusted gross income: maintenance payments (except foster care maintenance and supplementary payments excludable under section 131 of the internal revenue code), support money, cash public assistance and general relief (not including credit granted under this subsection and amounts under s. 46.27), 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) (i).~~ "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 income of a nonresident or part-year resident who is married to a full-year resident, net operating loss carry-forwards, capital loss carry-forwards, housing allowances provided to members of the clergy, the amount by which a resident manager's rent is reduced, nontaxable income of an American Indian, nontaxable income from sources outside this state, deductions for contributions to Keogh plans and nontaxable deferred compensation. Intangible drilling costs, depletion allowances and depreciation, including first-year depreciation allowances under section 179 of the internal revenue code, and amortization deducted in determining Wisconsin adjusted gross income as defined in s. 71.02 (2) (i) 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. Amounts not included in adjusted gross income but added to "income" under this subdivision in a previous year and repaid may be subtracted from income for the year during which they are repaid. A marital property agreement or unilateral statement under ch. 766 has no effect in computing "income" for a person whose homestead is not the same as the homestead of that person's spouse.

SECTION 1383. 71.09 (7) (a) 7 of the statutes is amended to read:

71.09 (7) (a) 7. "Property taxes accrued" means real or personal property taxes or monthly parking permit fees under s. 66.058 (3) (c), exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter owned by the claimant or a member of the claimant's household. "Real or personal property taxes" means those levied 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 or is owned as marital property or survivorship marital property and one or more such persons or entities or owners is not a member of the claimant's household, "property taxes accrued" is that part of property taxes accrued levied on such homestead (reduced by the tax credit under s. 79.10 (3) to (5)) as that reflects the ownership percentage of the claimant and the claimant's household. A marital property agreement or unilateral statement under ch. 766 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 subdivision, property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a homestead is sold or purchased during the calendar year of the levy, the "property taxes accrued" for the seller and the buyer shall be are 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 in proportion to the periods of time each both owned and occupied the homestead during the year to which the claim relates. The seller may use the closing agreement pertaining to the sale of the homestead, the property tax bill for the year before the year to which the claim relates or the prop-

erty tax bill for the year to which the claim relates as the basis for computing property taxes accrued, but those taxes are allowable only for the portion of the year during which the seller owned and occupied the sold homestead. 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 property taxes accrued 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. (a) to (g). 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 the 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 1384. 71.09 (7) (a) 8 of the statutes is amended to read:

71.09 (7) (a) 8. "Rent constituting property taxes accrued", except as provided in pars. (m) and (p), means 25%, or 20% if heat is included, 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 during the calendar year, and which to which the claim relates if that rent constitutes the basis, in the succeeding calendar year, of a claim for relief under this section subsection by such claimant. A marital property agreement or unilateral statement under ch. 766 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 1385. 71.09 (7) (b) of the statutes is amended to read:

71.09 (7) (b) The right to file a claim under this subsection shall be is personal to the claimant and shall does not survive the claimant's death, but such right may be exercised on behalf of a claimant by the claimant's legal guardian or attorney-in-fact. When a claimant dies after having filed a timely claim the

amount thereof shall be disbursed as provided under s. 71.10 (10) (i). The right to file a claim under this subsection may be exercised on behalf of a living claimant by the claimant's legal guardian or attorney-in-fact.

SECTION 1386. 71.09 (7) (c) of the statutes is amended to read:

71.09 (7) (c) Subject to the limitations provided in this subsection, a claimant may claim as a credit against Wisconsin income taxes otherwise due, Wisconsin property taxes accrued, or rent constituting property taxes accrued, or both. If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft drawn on the general fund. No such check, share draft or other draft and no offset against income taxes otherwise payable, or refund of income taxes paid in respect of any such claim shall be charged against any town, city, village or county in the distribution of income taxes under this chapter. No interest shall may be allowed on any payment made to a claimant pursuant to under this subsection.

SECTION 1388. 71.09 (7) (gn) to (gr) of the statutes are repealed.

~~SECTION 1388g. 71.09 (7) (grn) (intro.) of the statutes is amended to read:~~

~~71.09 (7) (grn) (intro.) The amount of any claim filed in 1987 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:~~

~~SECTION 1388m. 71.09 (7) (gro) of the statutes is created to read:~~

~~71.09 (7) (gro) The amount of any claim filed in 1988 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 \$7,800 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 \$7,800 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 12.25% of the household income exceeding \$7,800.~~

~~3. No credit may be allowed if the household income of a claimant exceeds \$18,000.~~

~~SECTION 1388r. 71.09 (7) (grp) of the statutes is created to read:~~

~~71.09 (7) (grp) The amount of any claim filed in 1989 and thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:~~

Vetoed
in Part

Vetoed
in Part

~~1. If the household income was \$8,000 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 \$8,000 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 11.304% of the household income exceeding \$8,000.~~

~~3. No credit may be allowed if the household income of a claimant exceeds \$19,500.~~

SECTION 1389. 71.09 (7) (gs) of the statutes is repealed.

SECTION 1390. 71.09 (7) (gz) 1 of the statutes is renumbered 71.09 (7) (w).

SECTION 1391. 71.09 (7) (gz) 2 of the statutes is renumbered 71.09 (7) (x) and amended to read:

71.09 (7) (x) The claimant ~~shall, at the claimant's election, not be~~ is not required to record on the claim the amount claimed. The claim allowable to persons ~~making this election who do not record the amount~~ shall be computed by the department, which shall notify the claimant by mail of the amount of the allowable claim.

SECTION 1392. 71.09 (7) (h) 1 to 4 of the statutes are repealed.

Vetoed
in Part

~~SECTION 1393b. 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 years 1984 to 1986, \$1,200.~~

~~SECTION 1393g. 71.09 (7) (h) 6 and 7 of the statutes are created to read:~~

~~71.09 (7) (h) 6. In calendar year 1987, \$1,250.~~

~~7. In calendar year 1988 and thereafter, \$1,300.~~

SECTION 1394. 71.09 (7) (j) of the statutes is repealed and recreated to read:

71.09 (7) (j) To ascertain the correctness of any claim under this subsection or to determine the amount of the credit under this subsection of any person, the department may examine, or cause to be examined by any agent or representative designated by the department, any books, papers, records or memoranda bearing on the homestead credit of the person, may require the production of the books, papers, records or memoranda, and require the attendance, of any person having relevant knowledge, and may take testimony and require proof material for its information. Based on the information it discovers, the department shall determine the true amount of homestead credit during the year or years under investigation.

SECTION 1395. 71.09 (7) (r) of the statutes is amended to read:

71.09 (7) (r) No claim for credit under this subsection may be allowed to any claimant who was under

18 years of age at the close of the year ~~the property taxes were levied or rents were paid to which the claim relates.~~

SECTION 1396. 71.09 (7) (s) of the statutes is amended to read:

71.09 (7) (s) No claim for credit under this subsection may be allowed to any claimant who was claimed as a dependent for federal income tax purposes by another person during the year ~~the taxes in question were levied or rents were paid to which the claim relates~~ but this limitation shall not apply if the claimant was 62 years of age or older at the close of the year ~~the claimed property taxes or rent constituting property taxes accrued to which the claim relates.~~

SECTION 1396g. 71.09 (7m) of the statutes is amended to read:

71.09 (7m) Married persons filing a joint return, except those who reduce their gross income under section 911 or 931 of the internal revenue code, may claim as a credit against, but not to exceed the amount of, Wisconsin net income taxes otherwise due, an amount equal to 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 qualified earned income, as defined in section 221 (b) of the internal revenue code as amended to December 31, 1985, plus employe business expenses under section 62 (2) (b), (c) or (d) of that code, allocable to Wisconsin under s. 71.07, minus the amount of disability income excluded under s. 71.05 (1) (b) 8m and minus any other amount not subject to tax under this chapter. 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 or unilateral statement under ch. 766 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 1396r. 71.09 (8) (c) of the statutes is amended to read:

71.09 (8) (c) ~~If in calendar year 1979 or thereafter~~ a resident individual, estate or trust pays a net income tax to another state upon income taxable by such state for calendar year 1978 or corresponding fiscal year or thereafter, such that resident individual, estate or trust may credit the net tax paid to ~~such that~~ other state on ~~such that~~ income against the net income tax otherwise payable to this state on income of the same year. The credit shall may not be allowed unless the income taxed by the other state is also considered income for Wisconsin tax purposes. The credit shall may not be allowed unless claimed within the time

provided in s. 71.10 (10) (bn), but s. 71.10 (10) (d) does not apply to ~~such~~ those credits. For purposes of this section paragraph, amounts declared and paid pursuant to the income tax law of another state shall be deemed a net income tax paid to ~~such that~~ other state only in the year in which the income tax return for ~~such that~~ state was required to be filed. Income and franchise taxes paid to another state by a tax-option corporation may be claimed as a credit under this paragraph by that corporation's shareholders who are residents of this state and who otherwise qualify under this paragraph.

SECTION 1407. 71.09 (11) (a) 6. a of the statutes is amended to read:

71.09 (11) (a) 6. a. For an individual, means income as defined under sub. (7) (a) 6, plus nonfarm business losses, plus amounts under s. 46.27, less net operating loss carry-forwards, less first-year depreciation allowances under section 179 of the internal revenue code and less the ~~first \$25,000~~ of depreciation expenses in respect to the farm, ~~except that the total of the depreciation expenses claimed by all of the individuals in a household may not exceed \$30,000 for each household.~~

Vetoed
in Part

Vetoed
in Part

SECTION 1407am. 71.09 (11) (a) 6. b of the statutes is amended to read:

71.09 (11) (a) 6. b. For a corporate claimant, except a tax-option corporation, means the same as for an individual claimant except that net income as defined under s. 71.02 (1) (e) plus any farm business loss carry forward carry-forward allowed under s. 71.06 shall be included instead of income under sub. (7) (a) 6 and "income" of a corporate claimant shall include all household income of each of its corporate shareholders of record at the end of its income year, plus non-farm business losses and depreciation expenses of the corporate claimant, except the first \$25,000 of depreciation expenses in respect to the farm.

Vetoed
in Part

~~SECTION 1407a. 71.09 (11) (a) 6. b of the statutes, as affected by 1987 Wisconsin Act ... (this act), is amended to read:~~

~~71.09 (11) (a) 6. b. For a corporate claimant, except a tax-option corporation, means the same as for an individual claimant except that net income plus any farm business loss carry-forward allowed under s. 71.06 shall be included instead of income under sub. (7) (a) 6 and "income" of a corporate claimant shall include all household income of each of its corporate shareholders of record at the end of its income year, plus nonfarm business losses and depreciation expenses of the corporate claimant, except the first \$25,000 \$30,000 of depreciation expenses in respect to the farm.~~

SECTION 1407cm. 71.09 (11) (a) 7 of the statutes is amended to read:

71.09 (11) (a) 7. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on the farmland and improvements owned by the claimant or

any member of the claimant's household in any calendar year under ch. 70, less the tax credit, if any, afforded in respect of the property by s. 79.10 (3) to (5). "Property taxes accrued" shall not exceed \$6,000. If farmland is owned by a tax-option corporation or by 2 or more persons or entities as joint tenants, tenants in common or partners or is marital property or survivorship marital property and one or more such persons or entities or owners is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on the farmland (reduced by the tax credit under s. 79.10 (3) to (5)) as that reflects the ownership percentage of the claimant and the claimant's household. 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 farmland 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 farmland or, if not so provided for in the closing agreement, the tax levy shall be prorated between the seller and buyer in proportion to months of their respective ownership.

~~SECTION 1407cp. 71.09 (11) (a) 7 of the statutes, as affected by 1987 Wisconsin Act ... (this act), is amended to read:~~

~~71.09 (11) (a) 7. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on the farmland and improvements owned by the claimant or any member of the claimant's household in any calendar year under ch. 70, less the tax credit, if any, afforded in respect of the property by s. 79.10. "Property taxes accrued" shall not exceed \$6,000 for taxable years before 1987, \$7,000 for taxable year 1987 and \$8,000 for taxable year 1988 and thereafter. If farmland is owned by a tax-option corporation or by 2 or more persons or entities as joint tenants, tenants in common or partners or is marital property or survivorship marital property and one or more such persons, entities or owners is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on the farmland (reduced by the tax credit under s. 79.10) that reflects the ownership percentage of the claimant and the claimant's household. 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 farmland 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 farmland or, if not so provided for in the closing agreement, the tax levy shall be prorated between the seller and buyer in proportion to months of their respective ownership.~~

Vetoed
in Part

~~SECTION 1407d. 71.09 (11) (b) (intro.), 1 and 2 of the statutes are repealed and recreated to read:~~

Vetoed
in Part

~~71.09 (11) (b) (intro.) Except as provided in par. (bm), the amount of any claim filed in 1988 and based upon property taxes accrued in 1987 shall be determined as follows.~~

~~1. The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of 6% of the 2nd \$5,000 of household income plus 8% of the 3rd \$5,000 of household income plus 10% of the 4th \$5,000 of household income plus 16% of the 5th \$5,000 of household income plus 26% of the 6th \$5,000 of household income plus 36% of the household income in excess of \$30,000. The maximum excessive property tax which can be utilized is \$7,000.~~

~~2. The credit under this subsection shall be limited to 90% of the first \$3,000 of excessive property taxes plus 70% of the next \$2,000 of excessive property taxes plus 50% of the next \$2,000 of excessive property taxes. The maximum credit may not exceed \$5,100 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 of ch. 91, using for such calculations household income and property taxes accrued of the year for which the claim is filed.~~

~~SECTION 1407f. 71.09 (11) (b) (intro.) and 2 of the statutes, as affected by 1987 Wisconsin Act ... (this act), are repealed and recreated to read:~~

~~71.09 (11) (b) (intro.) Except as provided in par. (bm), the amount of any claim filed in 1989 and thereafter and based upon property taxes accrued in the previous year shall be determined as follows:~~

~~1. The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of 5% of the 2nd \$5,000 of household income plus 7% of the 3rd \$5,000 of household income plus 9% of the 4th \$5,000 of household income plus 15% of the 5th \$5,000 of household income plus 26% of the 6th \$5,000 of household income plus 38% of the 7th \$5,000 of household income plus 40% of the household income in excess of \$35,000. The maximum excessive property tax which can be utilized is \$8,000.~~

~~2. The credit under this subsection shall be limited to 90% of the first \$3,000 of excessive property taxes plus 70% of the 2nd \$3,000 of excessive property taxes plus 50% of the next \$2,000 of excessive property taxes. The maximum credit may not exceed \$5,800 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 of ch. 91, using for such calculations household income and property taxes accrued of the year for which the claim is filed.~~

~~SECTION 1407h. 71.09 (11) (bm) of the statutes is amended to read:~~

~~71.09 (11) (bm) If the farmland is subject to a certified ordinance under subch. V of ch. 91, or an agreement under subch. II of ch. 91, in effect at the close of the year for which the credit is claimed, the amount of the claim is 10% of the property taxes accrued or the amount determined under par. (b), whichever is greater.~~

~~SECTION 1407i. 71.09 (12c) of the statutes is created to read:~~

~~71.09 (12c) CLAIM OF RIGHT CREDIT. Any natural person may credit against taxes otherwise due under this chapter the amount claimed for repayment of income previously taxed under the claim of right doctrine, as calculated under section 1341 of the internal-revenue code, if the amount of income claimed is greater than \$3,000 and the amount is not used as a deduction under sub. (6r) (a) 6. If the allowable amount of the credit exceeds the claimant's taxes due under this chapter the amount of the credit not used to offset those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft drawn on the general fund.~~

~~SECTION 1407k. 71.09 (12e) of the statutes is created to read:~~

~~71.09 (12e) EMPLOYE TAX CREDIT. (a) Definitions. In this subsection:~~

~~1. "Development zone" has the meaning under s. 66.467 (1) (b).~~

~~2. "Eligible employe" means an individual who, during any part of the 90-day period preceding his or her hiring, was a member of a family that received aid to families with dependent children or resided in a development zone.~~

~~3. "Remuneration" means the sum of wages or salary and all fringe benefits except federal insurance contributions act payments, vacation pay, sick leave, unemployment compensation and workers' compensation.~~

~~(b) Credit. Any employer who hires an eligible employe for work in a development zone and pays that employe remuneration equal to at least 145% of the state minimum wage may claim against taxes otherwise due under this chapter a credit equal to 50% of the amount obtained by subtracting from the wages or salary paid to that eligible employe the amount received from the federal job training partnership act and the federal targeted job tax credit in respect to that employe, up to a credit of \$3,000 per employe.~~

~~(c) Recapture. Any person who abandons all business locations in a development zone within 10 years after receiving a credit under this subsection shall repay to the department of revenue, for deposit in the general fund, the amount of the credit received plus interest at the rate of 5% per year or part of a year.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~(d) *Attributions.* Partnerships and tax-option corporations that are eligible for credits under par. (b) shall attribute them to their partners or shareholders in proportion to their ownership interests.~~

~~(e) *Refunds.* If the allowable claim under this subsection exceeds the taxes otherwise due under this chapter, the amount of the claim not used to offset taxes under this chapter shall be certified by the department of revenue to the department of administration for payment from the appropriation under s. 20.835 (2) (cm) to the claimant by check, share draft or other draft.~~

~~(f) *Deduction reduced.* In computing taxes under this chapter eligible employers shall reduce their deductions for wages paid by the amount of credit received under this subsection.~~

~~(g) *Administration, timeliness.* Subsection (12r) (j) and (k), as it applies to the credit under that subsection, applies to the credit under this subsection.~~

Vetoed
in Part

~~SECTION 1407m. 71.09 (12h) of the statutes is created to read:~~

~~71.09 (12h) HANDICAPPED ACCESS CREDIT. (a) *Definitions.* In this subsection:~~

~~1. "Accessible to the handicapped" means conforming to the rules promulgated under s. 101.13 (1m).~~

~~2. "Building or facility" means any building, structure, recreational area, street, curbing, sidewalk or any access to, or accommodation in, any of them. "Building or facility" includes but is not limited to bathrooms, toilet stalls, dining areas, drinking fountains, phone booths and lodging rooms or quarters.~~

~~3. "Qualified expenditure" means an expenditure that eliminates or modifies an architectural barrier and thereby helps to make a building or facility accessible to a handicapped employee. "Qualified expenditure" does not include expenditures for comprehensive renovation of a building or facility or for the normal replacement of depreciable property.~~

~~(b) *Credit.* Any person who makes a qualified expenditure with respect to a building or facility that is located in this state and that is either used in a trade or business or held for the production of income may claim as a credit against taxes otherwise due under this chapter, up to the amount of those taxes, an amount equal to 50% of that expenditure or \$100,000, whichever is less. The credit under this paragraph may be carried forward and credited against taxes otherwise due under this chapter for the following 4 taxable years to the extent not offset by those 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.~~

~~(c) *Deduction precluded.* No deduction may be claimed for amounts for which the credit under this subsection is claimed.~~

~~(d) *Administration, timeliness, nonclaimants.* Subsection (12r) (j) to (L), as it relates to the credit under~~

~~that subsection applies to the credit under this subsection.~~

Vetoed
in Part

SECTION 1410e. 71.09 (12r) (a) of the statutes is amended to read:

71.09 (12r) (a) *Credit.* For taxable year 1986 and subsequent years, any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 30 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year the corporation's base period research expenses, as defined in section 30 41 of the internal revenue code.

SECTION 1410m. 71.09 (12r) (b) of the statutes is amended to read:

71.09 (12r) (b) *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 30 41 of the internal revenue code as limited by this subsection.

SECTION 1410s. 71.09 (12rf) (a) of the statutes is amended to read:

71.09 (12rf) (a) *Credit.* For taxable year 1986 and subsequent years, any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount paid or incurred by that 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 41 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 1439. 71.09 (13) (cm) of the statutes is amended to read:

71.09 (13) (cm) In any case in which it is determined that a claim under sub. (7), (7m), (11), (12), 1983 stats., (12m), (12r) or (12rf) for a credit under this section is ~~or was~~ false or excessive and was filed with fraudulent intent, the claim shall be disallowed in full and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid may be 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 claimant in such case, and any person who assisted in the preparation or filing of the false or excessive claim or supplied information upon which the false or excessive claim was prepared, with fraudulent intent, ~~is guilty of a felony and~~ may be fined not to exceed \$10,000 or imprisoned not to exceed 5 years or both, together with the cost of prosecution. 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 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 the rate of 1.5% per month from the due date of the claim.

SECTION 1439cd. 71.10 (1) (a) of the statutes is amended to read:

71.10 (1) (a) All corporations doing business in this state shall also file with the department on or before March 15 of each year on forms prescribed by the department, a statement of such transfers of its capital stock as have been made by or to residents of this state during the preceding calendar year. Such schedule shall contain the name and address of the seller, date of transfer, and the number of shares of stock transferred; and such corporation shall also file with the department on or before March 15 of each year any information relative to payments made within the preceding calendar year of rents, and royalties, interest, dividends and liquidating dividends to persons taxable thereon under this chapter in amounts and in the manner and form prescribed by the department.

SECTION 1439ch. 71.10 (1) (am) of the statutes is created to read:

71.10 (1) (am) Each corporation that is required to file a return under this subsection shall file with that return a copy of its federal income tax return for the same taxable year.

SECTION 1439cp. 71.10 (1) (d) of the statutes is amended to read:

71.10 (1) (d) A tax-option corporation shall file with its state franchise or income tax return an exact copy of its federal income tax return for the same year and shall file any other return or statement filed with or made to, or any document received from, the U.S. internal revenue service, and any form required of that corporation and prescribed by the department of revenue, affecting the taxation of its shareholders.

SECTION 1439ct. 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 \$5,200 or more if under 65 years of age, or \$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 joint gross income of the married person and his or her spouse is \$7,200 or more if both are under 65 years of age; \$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 \$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) (k+).~~

SECTION 1439d. 71.10 (3m) (a) of the statutes is amended to read:

71.10 (3m) (a) Corporations may not change their basis of reporting from a calendar year to a fiscal year, from a fiscal year to a calendar year, or from one fiscal year to another without first obtaining the approval of the department of revenue unless the internal revenue service has approved the change or unless the change, including a change to a short taxable year, is required by the internal revenue code before approval by the internal revenue service and the reason for the change is explained in the first return filed for the new taxable year. Corporations that make changes on the basis of federal changes shall submit a copy of the internal revenue service's notice of approval or requirement to the department of revenue along with the return for the first taxable year for which the change applies.

SECTION 1439dd. 71.10 (3m) (c) of the statutes is amended to read:

71.10 (3m) (c) When a separate corporation income tax return is made for a fractional part of a year the income shall be computed and reported on the basis of the period for which the separate return is made, and such fractional part of a year shall constitute an income year, except that if a corporation terminates, under section 1362 (d) (1) or (2) of the internal revenue code, its election to be treated as an S corporation for federal income tax purposes the corporation may allocate its items of income, loss or deduction between its short taxable year as a tax-option corporation and its short taxable year as a nontax-option corporation according to the method under section 1362 (e) (2) of the internal revenue code.

SECTION 1439dh. 71.10 (5) (a) of the statutes is amended to read:

71.10 (5) (a) In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request allow such further time for making and delivering the return as is considered necessary, not to exceed 30 days or in the case of a cooperative filing a return or a domestic international sales corporation, as defined in s. 71.11 (7r), not to exceed 6 months. Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this chapter if a copy of any extension requested of the internal revenue service is filed with the return. Termination of an automatic extension by the internal revenue service, or its refusal to grant such automatic extension, shall similarly require that any returns due under this chapter are due on or before the date for termination fixed by the internal revenue service. ~~Except as provided in s. 71.22 (9) (b) for payments of estimated taxes,~~ income taxes payable upon the filing of the tax return shall not become delinquent during such extension period,

but shall be subject to interest at the rate of 12% per year during such period.

SECTION 1439dp. 71.10 (9) (f) of the statutes is created to read:

71.10 (9) (f) No person is required to pay a balance due of less than \$1.

SECTION 1439dt. 71.10 (10) (a) of the statutes is amended to read:

71.10 (10) (a) Except as provided in ss. 46.255, 71.04 (15), 71.105 and 71.11 (21) (d) and (g) 2, the provisions for refunds and credits provided in this subsection shall be the only method for the filing and review of claims for refund of income and surtaxes, and no person may bring any action or proceeding for the recovery of such taxes other than as provided in this subsection.

SECTION 1439e. 71.10 (10) (bn) of the statutes is amended to read:

71.10 (10) (bn) With respect to income taxes and franchise taxes, except as otherwise provided in pars. (e) and (h), sub. (11) and ss. 71.04 (15) (d) and s. 71.11 (21) (g) 2, refunds may be made if the claim therefor is filed within 4 years of the unextended date under this section on which the tax return was due.

SECTION 1439ed. 71.10 (10) (c) of the statutes is amended to read:

71.10 (10) (c) No refund shall be made on the over-withholding or over-declaration of estimated income taxes or franchise taxes with respect to any person for any income year in an amount less than \$2 unless such refund is specifically applied for on the return of such person reporting his income for such year \$1.

SECTION 1439eh. 71.10 (15) of the statutes is amended to read:

71.10 (15) Persons deducting rent, interest, dividends or royalties in determining taxable income, shall inform the department of the amounts and of the name and address of all residents of this state to whom interest, dividends or royalties of \$600 or more were paid during the income year; and of the amounts and of the name and address of residents and nonresidents to whom rent of \$600 or more is paid during the income year for property having a situs in this state. Such information shall be submitted on forms prescribed by the department and shall be filed at the time of filing the income tax return on which such payments are deducted, or at such other time as the department prescribes.

Vetoed in Part SECTION 1439em. 71.102 of the statutes is created to read:

71.102 Deferral of taxes on increased exports. (1) DEFINITIONS. In this section:

(a) "Base period treasury bill rate" means the rate of return, as calculated by the department of revenue, of the average yield of U.S. treasury bills that mature in 52 weeks and that were auctioned during the one-year period ending on September 30 of the taxable year.

Vetoed in Part (b) "Export property" means property that is manufactured, produced, grown or extracted for direct use, consumption or disposition outside this country, and to which value is added in this state.

(c) "Foreign trading receipts" means receipts from invoices issued by a seller directly to an unrelated purchaser outside this country from one of the following activities:

1. The sale, exchange or other disposition of export property outside this country.
2. The lease or rental of export property that is used by the lessee or renter outside this country.
3. The performance of services, including but not limited to maintenance and training, that are related to or subsidiary to an activity under subd. 1 or 2.
4. The performance of engineering, architectural or consulting services for projects that are outside this country.

(e) "Increase in gross income from foreign trading receipts" means the amount by which the gross income from foreign trading receipts for the taxable year exceeds the average of the annual gross income from foreign trading receipts for the 3 taxable years preceding the taxable year.

(f) "Tax attributable to an increase in gross income from foreign trading receipts" means the tax otherwise due under this chapter multiplied by a fraction the numerator of which is increase in gross income from foreign trading receipts and the denominator of which is total income.

(2) DEFERRAL. Any taxpayer, except a corporation that has a subsidiary that is a domestic international sales corporation or a foreign sales corporation, may defer the tax attributable to an increase in gross income from foreign trading receipts until the taxpayer either intentionally stops the activities under sub. (1) (c) or has no foreign trading receipts for 3 consecutive taxable years or fails to pay deferred taxes when they are due or for 5 taxable years, whichever occurs first, if the 3-year average under sub. (1) (c) is \$10,000,000 or less and if the taxpayer, on or before the unextended due date of the return under this chapter, pays interest at the base period treasury bill rate on all taxes deferred under this subsection in previous taxable years.

(3) RECAPTURE. If a taxpayer fails timely to pay the interest under sub. (2), all taxes deferred under sub. (2) are due on the date when the interest is due.

SECTION 1439ep. 71.11 (8) (a) of the statutes is repealed and recreated to read:

71.11 (8) (a) A corporation shall use a method of accounting authorized under the internal revenue code and shall use the same method used for federal income tax purposes if that method is authorized under the internal revenue code.

SECTION 1439et. 71.11 (8) (b) of the statutes is repealed and recreated to read:

71.11 (8) (b) A corporation that changes its method of accounting shall make the adjustments required

under the internal revenue code, except that in the last year that a corporation is subject to taxation under this chapter it shall take into account all of the remaining adjustments required by this chapter because of a change in method of accounting.

SECTION 1439f. 71.11 (8m) of the statutes is created to read:

71.11 (8m) **INSTALMENT METHOD; DISTRIBUTIONS AND FINAL YEAR.** A corporation entitled to use the instalment method of accounting shall take the unreported balance of gain on all instalment obligations into income in the taxable year of their distribution, transfer or acquisition by another person or for the final taxable year for which it files or is required to file a return under this chapter, whichever year occurs first.

SECTION 1439fd. 71.11 (9) of the statutes is repealed.

SECTION 1439fh. 71.11 (21) (f) of the statutes is created to read:

71.11 (21) (f) If the department of revenue determines that a liability exists under this chapter and that the liability may be owed by more than one person, the department may assess the entire amount to each person, specifying that it is assessing in the alternative.

SECTION 1439fp. 71.11 (21) (g) 2 of the statutes is amended to read:

71.11 (21) (g) 2. If notice of assessment or refund is given to the taxpayer within 90 days of the date on which the department receives a report from the taxpayer under sub. (21m) or within such other period specified in a written agreement entered into prior to the expiration of such 90 days by the taxpayer and the department. If the taxpayer does not report to the department as required under sub. (21m), the department may make an assessment against the taxpayer or refund to the taxpayer within 4 years after discovery by the department of the requirement of such reports within 10 years after the date on which the tax return is filed or within 2 years after the date when the federal determination of tax becomes final, whichever is later. The limitations under this subdivision in respect to taxpayers who do not report to the department do not apply to assessments made under par. (e).

SECTION 1439ft. 71.11 (25) of the statutes is amended to read:

71.11 (25) **FAILURE OF NATURAL PERSONS AND FIDUCIARIES TO FILE INFORMATION RETURNS.** The department may assess as an addition to taxable income the amount of deductions taken in arriving at federal adjusted gross income or federal taxable income by natural persons and fiduciaries for wages, rent, interest or royalties, upon failure to file information returns concerning such payments where required under s. 71.10 (8), (8m), (8n) and (15). Such assessments shall be made and reviewed in the same manner as other income tax assessments.

~~SECTION 1439g. 71.11 (44) (a) of the statutes is repealed.~~

~~SECTION 1439m. 71.11 (44) (b) of the statutes is amended to read:~~

~~71.11 (44) (b) The Upon request, 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, or by all corporations filing a return under this chapter, 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 \$4 for each return or, if the person requests information on all corporations that file a return, the fee required to reimburse the department for the cost of providing the information, but not to exceed \$250.~~

~~SECTION 1439e. 71.11 (44) (c) (intro.) of the statutes is amended to read:~~

~~71.11 (44) (c) (intro.) Subject to pars. (d) and (e) and to rules of the department, any income, franchise, withholding, fiduciary, partnership or gift tax returns or claims specified under par. (a) or any schedules, exhibits, writings or audit reports pertaining to the returns or claims on file with the department shall be open to examination by only the following persons and the contents thereof may be divulged or used only as follows:~~

~~SECTION 1448p. 71.11 (44) (d) of the statutes is amended to read:~~

~~71.11 (44) (d) Copies of returns and claims specified in par. (a) (c) (intro.) and related schedules, exhibits, writings or audit reports shall not be furnished to the persons listed under par. (c), except persons under par. (c) 5 or under an agreement between the department of revenue and another agency of government.~~

~~SECTION 1440g. 71.11 (44) (g) 1 (intro.) of the statutes is amended to read:~~

~~71.11 (44) (g) 1 (intro.) Such information may be examined for use in preparation for any judicial proceeding or any investigation which may result in a~~

Vetoed
in Part

Vetoed in Part judicial proceeding involving any of the taxes or tax credits specified in par. (a) (c) (intro.) ff.

SECTION 1441m. 71.11 (44m) of the statutes is amended to read:

71.11 (44m) (title) SAME; RETIREMENT PLANS. Any person who is liable for a penalty for federal income tax purposes under section 72 (q) and (t), 408 (f), 4973, 4974 or 4975 of the internal revenue code or section 1133 of the tax reform act of 1986 is liable for 33% of the federal penalty. The penalties provided under this subsection shall be assessed, levied and collected in the same manner as income taxes.

SECTION 1442m. 71.135 (1m) of the statutes is 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 1443m. 71.135 (3) of the statutes is amended to read:

71.135 (3) The employer shall, on or before the last day of the next month after every calendar quarter, remit to the department the amount withheld during the calendar quarter. Any amount withheld from an employe by an employer shall immediately be a trust fund for this state. Should any employer, after notice, wilfully fail to withhold in accordance with the notice and this section, or wilfully fail to remit any amount withheld, as required by this section, such employer shall be liable for the total amount set forth in the notice together with delinquent interest as though the amount shown by the notice was due by such employer as a direct obligation to the state for delinquent taxes, and may be collected by any means provided by law including the means provided for the collection of delinquent income taxes. However, no amount required to be paid by an employer by reason of his or her failure to remit under this section may be deducted from the gross income of such employer, ~~under either s. 71.04 or 71.05~~. Any amount collected from the employer for failure to withhold or for failure to remit under this section shall be credited as tax, costs, penalties and interest paid by the employe.

SECTION 1444m. 71.19 (5) (intro.) of the statutes is amended to read:

71.19 (5) (intro.) "Wages" means all remuneration, other than fees paid to a public official, for services performed by an employe for an employer, including cash value of all remuneration paid in any medium other than cash and remuneration paid to an entertainer or entertainment corporation. ~~The term shall, minus the amount of remuneration not subject to tax under this chapter, but does not include remuneration paid:~~

SECTION 1445m. 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 (1f)~~ to (1h) 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 with-

holding with respect to quarterly, semiannual and annual pay periods.

SECTION 1446m. 71.20 (25) of the statutes is created to read:

71.20 (25) Withholding from marital income shall be allocated between taxpayers in the same manner that income is allocated or would be allocated.

SECTION 1447m. 71.21 (title) of the statutes is amended to read:

71.21 (title) Payments of estimated taxes by individuals, estates and trusts.

SECTION 1448m. 71.21 (1) of the statutes is amended to read:

71.21 (1) Every individual, estate and trust deriving income subject to taxation under this chapter, other than wages as defined in s. 71.19 (5) upon which taxes are withheld by the individual's employer under s. 71.20, shall ~~make a declaration of pay~~ estimated income tax ~~if the total tax on income of the year can reasonably be expected to exceed withholding on wages paid in the year by \$60 or more for taxable years prior to 1981 or by \$100 or more for taxable year 1981 and thereafter. The declaration shall contain such information as the department by rule or form prescribes and alternative minimum tax.~~ This section does not apply to the first or 2nd taxable year of an estate or to any person on active duty with the U.S. armed forces while stationed outside the continental United States.

SECTION 1449m. 71.21 (1m) (a) of the statutes is repealed.

SECTION 1450m. 71.21 (1m) (am) of the statutes is created to read:

71.21 (1m) (am) If no return is filed, or a return is filed the tax computed on which is less than 75% of the tax properly due and the addition to tax under this section is \$300 or more, "return" means a return that would show the tax properly due. If a return is timely filed and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax under this section is less than \$300, "return" means that timely return. If a return is filed late and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax under this section is less than \$300, "return" means the first return filed after the due date or after the due date as extended.

SECTION 1451m. 71.21 (1m) (b) of the statutes is amended to read:

71.21 (1m) (b) "Tax shown on the return" and "tax for the taxable year" mean the net tax imposed under s. 71.01 (1) after reduction for exemptions to, and credits against, that tax but before reduction by amounts withheld under s. 71.20 and before reduction for amounts paid as ~~declarations~~ of estimated tax under this section for that tax plus the tax imposed under s. 71.60 before reduction for amounts paid as estimated tax under this section for that tax.

SECTION 1452m. 71.21 (2) of the statutes is repealed.

SECTION 1453m. 71.21 (3) of the statutes is amended to read:

71.21 (3) ~~Declarations~~ Payments of estimated income tax required by sub. (1) from farmers or fishers may be filed made at any time on or before the 15th day of the first month of the succeeding taxable year. For purposes of this section, farmers or fishers are individuals, estates or trusts whose estimated gross income from farming or fishing for the taxable year is at least two-thirds of the total estimated gross income from all sources for the taxable year or individuals, estates or trusts 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 1454m. 71.21 (5) (intro.) and (a) to (c) of the statutes are repealed.

SECTION 1455m. 71.21 (5) (d) of the statutes is renumbered 71.21 (5) and amended to read:

71.21 (5) ~~If the declaration is filed after the fifteenth day of the ninth month of the income year, the entire amount shall be paid with the filing of the declaration.~~ All payments of estimated tax shall be made to the department at its offices in Madison unless the department, by rule, prescribes another place of payment.

SECTION 1456m. 71.21 (5) (e) of the statutes is renumbered 71.21 (5m) and amended to read:

71.21 (5m) If the taxpayer claims a refund on any tax return ~~due on or after April 15, 1966, and, concurrent with or subsequent to the filing of the return upon which such refund is claimed,~~ is required to ~~file a declaration of pay~~ an estimated tax, and at the time of ~~filing such declaration such paying that tax~~ the refund has not been paid, he or she may deduct the amount of such refund from ~~his~~ the first instalment of estimated taxes, and any excess from the succeeding instalments. ~~If he later receives such refund he shall file an amended declaration with the instalment next due on his original declaration and, if such a refund is paid after the due date of the last instalment on the original declaration, the, its receipt of such refund must shall be reflected on the income tax return covering the year of the declaration. If the refund claim is determined to be excessive in whole or in part at any time prior to the due date of the last instalment of the original declaration, an amended declaration reflecting the disallowance of some or all of such refund must be filed on the due date for the next instalment under the original declaration, and if. If the refund is disallowed in whole or in part after the due date of the last instalment of the original declaration, such, that disallowance must be reflected on the income tax return covering the year of the declaration.~~

SECTION 1457m. 71.21 (7) of the statutes is repealed.

SECTION 1458m. 71.21 (8) of the statutes is amended to read:

71.21 (8) If Except as provided in sub. (1m) (am), if on or before the first day of the 3rd month of the succeeding taxable year a farmer or a fisher files a return for the taxable year, for which a declaration was estimated taxes were 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 that payment satisfies any required estimated tax instalments.

SECTION 1459m. 71.21 (11) of the statutes is amended to read:

71.21 (11) In Except as provided in sub. (12), in the case of any underpayment of estimated tax by an individual, estate or trust, except as hereinafter provided, there shall be added to the aggregate tax for the taxable year an amount determined at the rate of 12% per year on the amount of the underpayment for the period of the underpayment. In this subsection, "the period of the underpayment" means the time period from the due date of the instalment until either the 15th day of the 4th month beginning after the end of the taxable year or the date of payment, whichever is earlier.

SECTION 1460m. 71.21 (12) of the statutes is repealed and recreated to read:

71.21 (12) No addition to tax is required under sub. (11) if any of the following conditions apply:

(a) The tax shown on the return or, if no return is filed, the tax, minus amounts withheld under s. 71.20, is less than \$200.

(b) The preceding taxable year was 12 months, the taxpayer had no liability under s. 71.01 (1) or 71.60 for that year and the taxpayer was a resident of this state for all of that year.

(c) The secretary of revenue determines that because of casualty, disaster or other unusual circumstances it is not equitable to impose an addition to tax.

(d) The secretary of revenue determines that the taxpayer retired during the taxable year or during the preceding taxable year after having attained age 62 or becoming disabled and that the underpayment was due to reasonable cause and not due to wilful neglect.

SECTION 1461m. 71.21 (13) of the statutes is repealed and recreated to read:

71.21 (13) Taxpayers shall make estimated payments in 4 instalments, on or before the 15th day of each of the following months:

- (a) The 4th month of the taxable year.
- (b) The 6th month of the taxable year.
- (c) The 9th month of the taxable year.
- (d) The first month of the next taxable year.

SECTION 1462m. 71.21 (14) of the statutes is repealed and recreated to read:

71.21 (14) (a) Except as provided in pars. (b), (bm) and (c), the amount of each instalment required under sub. (12) is 25% of the lower of the following amounts:

1. Ninety percent of the tax shown on the return for the taxable year or, if no return is filed, 90% of the tax for the taxable year.

2. The tax shown on the return for the preceding year.

(b) Paragraph (a) 2 does not apply if the preceding taxable year was less than 12 months or if the taxpayer did not file a return for the preceding taxable year.

(bm) Paragraph (a) 2 does not apply if the taxpayer is an estate or trust and has a taxable income of \$20,000 or more.

(c) If 22.5% for the first instalment, 45% for the 2nd instalment, 67.5% for the 3rd instalment and 90% for the 4th instalment of the tax for the taxable year computed by annualizing, under methods prescribed by the department of revenue, the taxpayer's income for the months in the taxable year ending before the instalment's due date is less than the instalment required under par. (a), the taxpayer may pay the amount under this paragraph rather than the amount under par. (a). Any taxpayer who pays an amount calculated under this paragraph shall increase the next instalment computed under par. (a) by an amount equal to the difference between the amount paid under this paragraph and the amount that would have been paid under par. (a).

SECTION 1463m. 71.21 (15) of the statutes is repealed and recreated to read:

71.21 (15) The estimated tax under this section shall be applied to taxable years of less than 12 months under rules promulgated by the department of revenue.

SECTION 1464m. 71.21 (16) of the statutes is repealed.

SECTION 1465m. 71.21 (18) of the statutes is amended to read:

71.21 (18) If a taxpayer files his a return for a calendar year on or before January 31 of the succeeding calendar year (or if a taxpayer on a fiscal year basis files his a return on or before the last day of the first month immediately succeeding the close of such fiscal year) and pays in full at the time of such filing the amount computed on the return as payable, then, if a declaration is estimated taxes are not required to be filed paid on or before the fifteenth 15th day of the ninth 9th month of the income year but is are required to be filed paid on or before January 15 of the succeeding income year (or the date corresponding thereto in the case of a fiscal year), such return shall be considered as such declaration, or, if a declaration was filed during the income year, such return shall be considered as an amendment of the declaration permitted to be filed under sub. (7) payment.

SECTION 1466m. 71.21 (19) (a) to (c) of the statutes are amended to read:

71.21 (19) (a) Any individual deriving income from wages, as defined in s. 71.19 (5), which is subject to taxation under this chapter ~~during the calendar year 1963 or any calendar or fiscal year after January 1, 1963, shall, if he files a declaration of estimated tax and who~~ pays 100 per cent % of the estimated tax for the following calendar or income year on or before the last day of the current calendar or income year, ~~he is~~ entitled to complete exemption from payroll withholding under ss. 71.19 and 71.20 for such following calendar or income year.

(b) No employer shall recognize exemption from payroll withholding for any employe ~~unless he first furnishes who does not furnish~~ a certificate prepared by the department of revenue satisfactorily showing that the employe has ~~filed a declaration of paid the estimated tax and prepaid the estimated tax~~ within the time and manner prescribed in this subsection with respect to the calendar or income year for which such exemption is sought.

(c) So far as applicable the ~~penalties additions to tax prescribed in this section shall apply to declarations of estimated income tax filed taxes paid~~ under this subsection ~~and persons making and filing the same.~~

SECTION 1467m. 71.21 (20) of the statutes is amended to read:

71.21 (20) Married persons may ~~file a joint declaration of jointly pay~~ estimated ~~tax taxes~~ unless either spouse is a nonresident alien or the spouses have different taxable years. If they do ~~file a joint declaration of estimated tax pay jointly~~, the provisions under this section applicable to individuals are applicable to the married persons jointly. If a married person files a separate return for a taxable year for which a ~~joint declaration of estimated tax was previously filed payment was made~~, 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 pays separately~~, no part of the payment ~~on one declaration~~ may be allocated to the ~~declaration of the other spouse.~~

SECTION 1468m. 71.22 of the statutes is repealed and recreated to read:

71.22 Payments of estimated taxes by corporations.

(1) In this section:

(a) If no return is filed, or a return is filed the tax computed on which is less than 75% of the tax properly due and the addition to tax under sub. (7) is \$300 or more, "return" means a return that would show the tax properly due. If a return is timely filed and if

either the tax computed on it is at least 75% of the tax properly due or the addition to tax under sub. (7) is less than \$300, "return" means that timely return. If a return is filed late and if either the tax computed on it is at least 75% of the tax properly due or the addition to tax under sub. (7) is less than \$300, "return" means the first return filed after the due date or after the due date as extended.

(b) "Tax shown on the return" and "tax for the taxable year" mean the net taxes imposed under ~~§s. 71.01 and 71.02~~ after reduction for credits against those taxes but before reduction for amounts paid as estimated tax under this section.

(2) Every corporation subject to tax under s. 71.01 ~~or 71.02~~ shall pay an estimated tax to the department of revenue at its offices in Madison unless the department, by rule, prescribes another place of payment.

(3) If a corporation claims a refund on any tax return and, concurrent with or subsequent to filing the return upon which that refund is claimed, is required to pay an estimated tax, and at the time of paying that tax the refund has not been paid, the corporation may deduct the amount of that refund from the first instalment of estimated taxes and may deduct any excess from the succeeding instalments.

(4) Any instalment of the estimated tax under this section may be paid before the due date.

(5) Application of this section to taxable years of less than 12 full months shall be made under the department of revenue's rules.

(6) If the amount of an instalment payment of estimated tax exceeds the amount determined to be the correct amount of that payment, the overpayment shall be credited against the next unpaid instalment.

(7) Except as provided in sub. (8), in the case of any underpayment of estimated tax under this section there shall be added to the aggregate tax for the taxable year an amount determined at the rate of 12% per year on the amount of the underpayment for the period of the underpayment. In this subsection, "period of the underpayment" means the time period from the due date of the instalment until either the 15th day of the 3rd month beginning after the end of the taxable year or the date of payment, whichever is earlier. Any estimated taxes not paid by the 15th day of the 3rd month following the close of the taxable year, along with any addition to the tax due, shall accrue delinquent interest under s. 71.13 (1) (a).

(8) No addition to tax is required under sub. (7) for a corporation if any of the following conditions apply:

(a) The tax shown on the return or, if no return is filed, the tax is less than \$500.

(b) The preceding taxable year was 12 months and the corporation had no liability under ~~§s. 71.01 and 71.02~~ for that year.

(9) Taxpayers shall make estimated payments in 4 instalments, on or before the 15th day of each of the following months:

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- (a) The 3rd month of the taxable year.
- (b) The 6th month of the taxable year.
- (c) The 9th month of the taxable year.
- (d) The 12th month of the taxable year.

(10) (a) For corporations that have Wisconsin net incomes of less than \$250,000, except as provided in pars. (b) and (c), the amount of each instalment required under sub. (9) is 25% of the lower of the following amounts:

1. Ninety percent of the tax shown on the return for the taxable year or, if no return is filed, 90% of the tax for the taxable year.

2. The tax shown on the return for the preceding year.

(b) Paragraph (a) 2 does not apply if the preceding taxable year was less than 12 months or if the corporation did not file a return for the preceding year.

(c) If 22.5% for the first instalment, 45% for the 2nd instalment, 67.5% for the 3rd instalment and 90% for the 4th instalment of the tax for the taxable year computed by annualizing, under methods prescribed by the department of revenue, the corporation's income for the months in the taxable year ending before the instalment's due date is less than the instalment required under par. (a), the corporation may pay the amount under this paragraph rather than the amount under par. (a). For purposes of computing annualized income under this paragraph, the apportionment percentage computed under s. 71.07 (2) from the return filed for the previous taxable year may be used if that return was filed with the department of revenue on or before the due date of the instalment for which the income is being annualized and if the apportionment percentage on that previous year's return was greater than zero. Any corporation that pays an amount calculated under this paragraph shall increase the next instalment computed under par. (a) by an amount equal to the difference between the amount paid under this paragraph and the amount that would have been paid under par. (a).

(11) (a) Except as provided in par. (c), for corporations that have Wisconsin net incomes of \$250,000 or more, the amount of each instalment required under sub. (9) is 25% of the amount under par. (b).

(b) Ninety percent of the tax shown on the return for the taxable year or, if no return is filed, 90% of the tax for the taxable year.

(c) If 22.5% for the first instalment, 45% for the 2nd instalment, 67.5% for the 3rd instalment and 90% for the 4th instalment of the tax for the taxable year computed by annualizing, under methods prescribed by the department of revenue, the corporation's income for the months in the taxable year ending before the instalment's due date is less than the instalment required under par. (a), the corporation may pay the amount under this paragraph rather than the amount under par. (a). For purposes of computing annualized income under this paragraph, the apportionment percentage computed under s. 71.07 (2) from

the return filed for the previous taxable year may be used if that return was filed with the department of revenue on or before the due date of the instalment for which the income is being annualized and if the apportionment percentage on that previous year's return was greater than zero. Any corporation that pays an amount calculated under this paragraph shall increase the next instalment computed under par. (a) by an amount equal to the difference between the amount paid under this paragraph and the amount that would have been paid under par. (a).

(12) If a corporation files a return for a calendar year on or before January 31 of the succeeding calendar year (or if a corporation on a fiscal year basis files a return on or before the last day of the first month immediately succeeding the close of such fiscal year) and pays in full at the time of such filing the amount computed on the return as payable, then, if estimated taxes are not required to be paid on or before the 15th day of the 9th month of the income year but are required to be paid on or before the 15th day of the 12th month of the income year, such return shall be considered as payment.

SECTION 1469m. 71.23 of the statutes is amended to read:

71.23 Penalties not deductible. No penalty imposed by this chapter, including penalties imposed under s. 71.20 or 71.21, or by subch. III of ch. 77 or amounts added to the tax under s. 71.21 or 71.22 may be deducted from gross income in arriving at net income taxable under this chapter.

SECTION 1470m. 71.301 to 71.372 of the statutes are repealed.

SECTION 1471m. 71.53 of the statutes is created to read:

71.53 School property tax credit. (1) In this section:

(a) "Claimant" means a natural person who files a claim or on whose behalf a claim is filed under this section but does not include an estate, fiduciary or trust.

(b) "Principal dwelling" means any dwelling, whether owned or rented, and the land surrounding it that is reasonably necessary for use of the dwelling as a primary dwelling of the claimant and may include a part of a multidwelling or multipurpose building and a part of the land upon which it is built that is used as the claimant's primary dwelling.

(c) "Property taxes" means real and personal property taxes, exclusive of special assessments, delinquent interest and charges for service, paid by a claimant on the claimant's principal dwelling during the taxable year for which credit under this section is claimed, less any property taxes paid which are properly includable as a trade or business expense under section 162 of the internal revenue code. If the principal dwelling on which the taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants in common or is owned by spouses as marital property, "property taxes" is that part of property taxes paid that reflects

the ownership percentage of the claimant. If the principal dwelling is sold during the taxable year the "property taxes" for the seller and buyer shall be the amount of the tax prorated to each in the closing agreement pertaining to the sale or, if not so provided for in the closing agreement, the tax shall be prorated between the seller and buyer in proportion to months of their respective ownership. "Property taxes" includes monthly parking permit fees in respect to a principal dwelling collected under s. 66.058 (3) (c).

(d) "Rent constituting property taxes" means 25% of rent if heat is not included, or 20% of rent if heat is included, paid during the taxable year for which credit is claimed under this section, at arm's length, for the use of a principal dwelling and contiguous land, excluding any payment for domestic, food, medical or other services which are unrelated to use of the dwelling as housing, less any rent paid that is properly includable as a trade or business expense under the internal revenue code. "Rent" includes space rental paid to a landlord for parking a mobile home. Rent shall be proportioned among the occupants of a principal dwelling according to their respective contribution to the total amount of rent paid. "Rent" does not include rent paid for the use of housing which was exempt from property taxation, except housing for which payments in lieu of taxes were made under s. 66.40 (22).

(2) Subject to the limitations under this section, a claimant may claim as a credit against, but not to exceed the amount of taxes under s. 71.01 (1), 6.9% of the first \$2,000 of property taxes or rent constituting property taxes, or 6.9% of the first \$1,000 of property taxes or rent constituting property taxes of a married person filing separately.

(3) 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 section for unmarried persons or married persons filing separate returns who are nonresidents of this state. If one spouse is not domiciled in this state during the entire taxable year, the credit on a joint return is determined by multiplying the school property tax 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. No credit is allowed under this section on a joint return if both spouses are nonresidents of this state.

(4) No credit may be allowed under this section unless it is claimed within the period specified in s. 71.10 (10) (bn).

(5) In any case in which a principal dwelling is rented by a person from another person under circumstances deemed by the department of revenue to be

not at arm's length, the department may determine rent at arm's length, and, for purposes of this section, such determination shall be final.

(6) The department of revenue, on its forms and instructions, shall refer to the credit under this section as the school property tax credit.

SECTION 1472m. 71.60 (1) of the statutes is amended to read:

71.60 (1) IMPOSITION. In addition to the tax under s. 71.01 (1), for taxable year 1986 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 as amended to December 31, 1986.

SECTION 1475m. 71.60 (1) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed and recreated to read:

71.60 (1) IMPOSITION. If the tax imposed on a natural person, married couple filing jointly, trust or estate under s. 71.01 (1), not considering the credits under s. 71.09 (7), (7m) and (11) and payments to other states under s. 71.09 (8), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.01 (1), an alternative minimum tax computed as follows:

(a) 1. Adjust the alternative minimum taxable income, as defined in section 55 (b) (2) of the internal revenue code by the amounts under s. 71.05, except s. 71.05 (1) ~~(b) (6) to (8) and (d) 2~~, by the amounts needed to modify federal alternative tax net operating loss deductions to reflect differences between Wisconsin net operating loss deductions and federal net operating loss deductions for minimum tax purposes ~~and by the amounts needed to include all capital gains that are excluded from the tax imposed under s. 71.01~~. The department of revenue shall by rule define Wisconsin net operating loss deductions for minimum tax purposes.

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2. Subtract the amount under section 57 (a) (5) of the internal revenue code from the amount under subd. 1.

3. For nonresidents and part-year residents, adjust the amount under subd. 2 so that itemized deductions and personal exemptions are prorated on the basis of the ratio of Wisconsin adjusted gross income to federal adjusted gross income.

4. Subtract from the amount under subd. 3 the appropriate amount under section 55 (d) (1) and (3) of the internal revenue code except that surviving spouses shall be treated as single individuals, except that the amount under subd. 3, not the federal alternative minimum taxable income, shall be used in calculating the phase-out and except that for nonresidents and part-year residents the amount under section 55 (d) (1) and (3) of the internal revenue code shall be prorated on the basis of the ratio of Wisconsin

adjusted gross income to federal adjusted gross income.

(b) Multiply the amount under par. (a) by 6.5%.

SECTION 1476m. 71.60 (4) of the statutes is repealed and recreated to read:

71.60 (4) TAX BENEFIT RULE. The department of revenue shall promulgate rules to provide that the amount under sub. (1) (a) 3 may be reduced to prevent the inclusion of any amounts that do not reflect a benefit in respect to the tax imposed under s. 71.01 (1).

SECTION 1477m. 71.60 (5) of the statutes is repealed.

SECTION 1477o. 71.61 of the statutes is created to read:

71.61 Corporate minimum tax. (1) In addition to the tax imposed under s. 71.01 (1) or (2), there is imposed on every corporation subject to the tax under s. 71.01 (1) or (2) a minimum tax computed as follows:

(a) Adjust net apportionable income of corporations subject to apportionment and net Wisconsin income of businesses subject to separate accounting in the manner under section 56, except section 56 (a) (4), and section 58 of the internal revenue code.

(b) Add to the amount under par. (a) the preferences under section 57 of the internal revenue code to the extent those preferences reduce net income as calculated for purposes of the tax imposed under s. 71.01 (1) or (2).

(c) Multiply the amount under par. (b) by the apportionment percentage under s. 71.07 applicable to the corporation for purposes of the tax imposed under s. 71.01 (1) or (2) if the corporation is subject to apportionment.

(d) Add nonapportionable income that has a situs in this state to the amount under par. (c).

(e) From the amount under par. (d) subtract the Wisconsin minimum tax net operating loss under s. 71.06 as adjusted under rules promulgated by the department of revenue.

(f) Multiply the exemption amount under section 55 (d) (2) and (3) of the internal revenue code by the apportionment percentage under s. 71.07 applicable to the corporation for purposes of the tax imposed under s. 71.01 (1) or (2) if the corporation is subject to apportionment.

(g) Subtract the amount under par. (f) from the amount under par. (e).

(h) Subtract from the amount under par. (g) if the corporation is a tax-option corporation, the portion of that amount equal to the ownership percentage of shareholders who are residents of this state and of nonresident shareholders who file individual returns for purposes of the tax imposed under s. 71.01 or 71.60.

(i) Multiply the amount under par. (h) by 4.7%.

(j) Subtract the credit under s. 71.043 from the amount under par. (i).

(k) Subtract the tax under s. 71.01 (1) or (2) after the application of all credits from the amount under par. (j).

(2) The department of revenue may impose, enforce and collect the minimum tax provided in this section and may take any action, conduct any proceeding and in all respects proceed as it is authorized in respect to income taxes imposed in this chapter. The income tax and franchise tax provisions relating to assessments, refunds, appeals, collection, interest and penalties shall apply to the minimum tax under this section.

SECTION 1477p. 71.65 (1) (a) of the statutes is amended to read:

71.65 (1) (a) Tax under s. 71.09 (1b), (1e) or (1f), (1g) or (1h).

SECTION 1478m. 71.65 (1) (d) of the statutes is created to read:

71.65 (1) (d) School property tax credit under s. 71.53.

SECTION 1478s. 71.65 (1) (e) of the statutes is created to read:

71.65 (1) (e) Handicapped access credit under s. 71.09 (12b).

SECTION 1479m. 71.65 (1) (fm) of the statutes is renumbered 71.65 (1) (gm).

SECTION 1480m. 71.65 (1) (g) of the statutes is amended to read:

71.65 (1) (g) Minimum Alternative minimum tax under s. 71.60, including any surtax on alternative minimum tax.

SECTION 1480n. 71.65 (1) (L) of the statutes is amended to read:

71.65 (1) (L) The total of claim of right credit under s. 71.09 (12a), farmland preservation credit under s. 71.09 (11), homestead credit under s. 71.09 (7), employee tax credit under s. 71.09 (12e), estimated tax payments under s. 71.21 and taxes withheld under s. 71.19.

SECTION 1480ha. 71.65 (2) (cm) of the statutes is created to read:

71.65 (2) (cm) Handicapped access credit under s. 71.09 (12b).

SECTION 1480e. 71.65 (2) (g) of the statutes is amended to read:

71.65 (2) (g) The total of farmland preservation credit under s. 71.09 (11), employee tax credit under s. 71.09 (12e) and estimated tax payments under s. 71.22.

SECTION 1480p. 71.65 (2) (h) of the statutes is created to read:

71.65 (2) (h) Corporate minimum tax under s. 71.61.

SECTION 1481m. Chapter 72 (title) of the statutes is amended to read:

CHAPTER 72

INHERITANCE, ESTATE AND GIFT TAX

SECTION 1482m. Subchapter I (title) of chapter 72 of the statutes is repealed.

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SECTION 1483t. 72.01 (3) of the statutes is repealed.

SECTION 1484m. 72.01 (10) of the statutes is repealed.

SECTION 1485m. 72.01 (11) of the statutes is amended to read:

72.01 (11) "Estate" means all property of a decedent transferred to ~~distributees~~ by reason of ~~his~~ the decedent's death.

SECTION 1486m. 72.01 (12) of the statutes is repealed.

SECTION 1487m. 72.01 (14), (15) and (15m) of the statutes are repealed.

SECTION 1488m. 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 internal revenue code, as amended to December 31, ~~1985~~ 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subsection with respect to taxable year 1987 and thereafter.

SECTION 1489m. 72.01 (17) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1490m. 72.02 of the statutes is created to read:

72.02 Estate tax imposed. An estate tax is imposed upon the transfer of all property that is subject to a federal estate tax and that has a taxable situs in this state. The tax imposed is equal to the credit allowed for state death taxes against the federal estate tax as finally determined. If only a portion of a decedent's property has a taxable situs in this state, the tax imposed is the amount obtained by multiplying the federal credit allowed for state death taxes by a fraction the numerator of which is the value of the decedent's estate that has a taxable situs in this state and the denominator of which is the total value of the property in the estate that qualifies for the federal credit allowed for state death taxes.

SECTION 1491m. 72.05 of the statutes is repealed.

SECTION 1492m. 72.06 of the statutes is amended to read:

Vetoed in Part **72.06 Confidentiality of tax returns.** Section 71.11 (44) ~~and~~ (c) to (h) applies to any information obtained from any person by the department on ~~an inheritance or estate~~ a death tax return, report, schedule, exhibit or other document or from an audit report pertaining to the tax return.

SECTION 1493m. 72.07 of the statutes is repealed.

SECTION 1494m. Subchapter II (title) of chapter 72 of the statutes is repealed.

SECTION 1495m. 72.12 to 72.17 of the statutes, as affected by 1987 Wisconsin Act (this act), are repealed.

SECTION 1496m. 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 internal revenue code as amended to December 31, ~~1985~~ 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987 and thereafter. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 1497m. 72.14 (1) (c) of the statutes is amended to read:

72.14 (1) (c) Expenses of administration ~~to the extent incurred because of the decedent's death and not claimed for income tax purposes under ch. 71, including but not limited to personal representative fees, guardian ad litem fees, court filing fees, personal representative bond and similar expenses but not including such expenses as inheritance and estate taxes paid to any other state, territory, district or country; expenses of care, maintenance or repair of real property or tangible personal property incurred or accrued after the decedent's death; interest on obligations of the decedent or the estate incurred or accrued after the decedent's death; and expenses incurred or accrued in the sale of property unless the proceeds are necessary to pay other allowable claims or deductions under this subsection.~~

SECTION 1498m. 72.15 (1) (a) 2 of the statutes is amended to read:

72.15 (1) (a) 2. Corporations, trusts, voluntary associations or foundations organized and operated exclusively for religious, humane, charitable, scientific or educational purposes, except that a transfer to a cemetery is exempt under this subdivision only if that transfer is not specifically for the benefit of the decedent or any other designated person;

SECTION 1499m. 72.17 (4) (b) of the statutes is amended to read:

72.17 (4) (b) To the cemetery in which the deceased is buried, property of a clear market value of \$500 if that transfer is specifically for the benefit of the decedent or of any other designated person and if that cemetery is not operated for profit.

SECTION 1500m. 72.18 of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1501m. 72.18 (intro.) of the statutes is amended to read:

72.18 Rates. (intro.) When property is transferred by reason of a death to or for the use of a distributee, a tax is imposed which shall be reduced by 20% for transfers because of deaths occurring in 1988, by 40% for transfers in 1989, by 60% for transfers because of deaths occurring in 1990, by 80% for transfers occurring in 1991 and by 100% for transfers occurring in 1992 and thereafter at the following rates:

SECTION 1502m. 72.19 of the statutes is repealed.

SECTION 1503m. 72.20 of the statutes is repealed.

SECTION 1504m. 72.21 (3) of the statutes is repealed.

SECTION 1505m. 72.22 (1) of the statutes is amended to read:

72.22 (1) **WHEN PAYABLE.** The tax imposed by this ~~subchapter~~ chapter is due and payable ~~at the time of on the date 9 months after the decedent's death.~~

SECTION 1506m. 72.22 (3) of the statutes is amended to read:

72.22 (3) **PAYMENT.** Payments must be made to the department. ~~Except as provided in sub. (4), full~~ Full payment shall accompany the ~~inheritance estate tax~~ return. If a prepayment was made, any additional tax shown owing on the return, as filed, shall accompany the return.

SECTION 1507m. 72.22 (4) of the statutes, as affected by 1987 Wisconsin Act (this act), is repealed.

SECTION 1508m. 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, 1985, 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 the estate would be authorized to pay federal estate taxes under section 6166 of the internal revenue code as amended to December 31, 1986, as it applies to taxable year 1987 and subsequent years. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph with respect to taxable year 1987 and thereafter.~~ 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 1509m. 72.23 (title) of the statutes is repealed.

SECTION 1510m. 72.23 (1) of the statutes is renumbered 72.23 and amended to read:

72.23 (title) **Interest.** If the tax imposed by this ~~subchapter~~ chapter is not paid within ~~one year~~ 9 months of the decedent's date of death, interest is due and payable at the rate of 12% per year from date of death. In computing time under this section, the day of death is excluded.

SECTION 1511m. 72.23 (2) of the statutes is repealed.

SECTION 1512m. 72.25 of the statutes is repealed.

SECTION 1513m. 72.26 of the statutes is repealed.

SECTION 1514m. 72.28 of the statutes is repealed.

SECTION 1515m. 72.29 of the statutes is repealed.

SECTION 1516m. 72.30 (1) (title) of the statutes is repealed.

SECTION 1517m. 72.30 (1) (a) of the statutes is renumbered 72.30 (1) and amended to read:

72.30 (1) (title) **FILING REQUIREMENTS.** ~~Except as provided in par. (b)~~ If a federal estate tax return is required, the personal representative, special administrator, trustee, distributee or other person interested shall prepare the ~~inheritance estate tax~~ estate tax return, compute the tax, if any, due under this ~~subchapter~~ chapter and file the original with the department.

SECTION 1518m. 72.30 (1) (b) of the statutes is repealed.

SECTION 1519m. 72.30 (2) of the statutes is repealed.

SECTION 1520m. 72.30 (3) (a) of the statutes is repealed.

SECTION 1521m. 72.30 (3) (b) of the statutes is repealed.

SECTION 1522m. 72.30 (3) (bm) of the statutes is repealed.

SECTION 1523m. 72.30 (3) (c) of the statutes is renumbered 72.30 (3) and amended to read:

72.30 (3) (title) **CERTIFICATE OF TAX.** Upon ~~determination of the value of the property and receipt of the return and payment of the tax,~~ the department shall issue a dated certificate showing the amount of tax and any interest ~~and penalty, or showing the amount of tax and stating that payment will be made under s. 72.22 (4).~~

SECTION 1524m. 72.30 (3) (d) of the statutes is repealed.

SECTION 1525m. 72.30 (3) (e) of the statutes is repealed.

SECTION 1526m. 72.30 (4) of the statutes is amended to read:

72.30 (4) **HEARING IN CIRCUIT COURT.** The attorney general, department, district attorney or any person dissatisfied with the appraisal, assessment or determination of the tax due under this ~~subchapter~~ chapter may apply for a hearing before the circuit court within 6 months from the date the certificate in sub. (3) ~~(e)~~ is issued. The applicant must file a written notice with the court stating the grounds of the application. No

statute of limitations shall run against the department in cases of fraud or collusion or where property is not disclosed in the return.

SECTION 1527m. 72.30 (5) of the statutes is repealed.

SECTION 1528m. 72.30 (6) of the statutes is repealed.

SECTION 1529m. 72.30 (7) of the statutes is amended to read:

72.30 (7) COLLECTION. In addition to its powers to collect taxes due under this ~~subchapter~~ chapter, the department may proceed in the manner provided in ss. 71.13 (3) and 71.135. All payments under this ~~subchapter or subch. III~~ chapter after their due date shall be applied first in discharging costs and interest and the balance applied on the tax principal.

SECTION 1530m. 72.31 (title) of the statutes is repealed.

SECTION 1531m. 72.31 (1) and (2) (title), (a) and (c) of the statutes are renumbered 867.05 (5) and (6) (title), (a) and (c), and 867.05 (5) (intro.) and (a) and (6) (a), as renumbered, are amended to read:

867.05 (5) (title) SPECIAL ADMINISTRATION. (intro.) When no administration proceeding has been commenced or no complete tax return has been filed, any person, including the department of revenue, interested in the property, the transfer of which is subject to tax under ~~subchs. II and III~~ ch. 72, may petition for appointment of a special administrator with powers to determine the tax, if:

(a) No petition for administration of property of a decedent is made within 60 days after the decedent's death and the property's transfer appears to be taxable under ~~subch. II or III~~ ch. 72;

(6) (a) Prior to acting under sub. ~~(4)~~ (5), the special administrator shall, by certified mail, notify the distributee of the basis of his or her authority under sub. ~~(4)~~ (5).

SECTION 1532m. 72.31 (2) (b) of the statutes is repealed.

SECTION 1533m. 72.33 (1) and (2) (intro.) of the statutes are amended to read:

72.33 (1) The person filing the return required by s. 72.30 (1) ~~(a)~~ shall attach a copy of the federal return filed for the transfer of property taxable under this ~~subchapter or subch. III~~ chapter, together with a copy of the closing letter, if available, and proof of payment.

(2) (intro.) If the amount of the federal estate tax initially paid is subsequently increased or decreased the person entitled to the refund or liable for the additional tax under ~~subch. II or III~~ this chapter shall, within 30 days:

SECTION 1534m. 72.33 (4) of the statutes is repealed.

SECTION 1535m. 72.34 (1) to (5) and (6) (a) of the statutes are repealed.

SECTION 1536m. 72.34 (6) (b) of the statutes is renumbered 72.34 and amended to read:

72.34 (title) Notice of obligations. Every person liable for paying benefits to the estate or a beneficiary of a deceased employe or former employe in the form of an annuity, bonus, pension or other benefit under a retirement, deferred compensation or profit-sharing plan taxable under this ~~subchapter~~ chapter, directly or through a trust or fund created by the employer for such purpose, shall give notice of such obligation to the department within 30 days following the date of payment, or the date of the initial payment if more than one payment is forthcoming, to the estate or any beneficiary of such employe or former employe.

SECTION 1537m. Subchapter III (title) of chapter 72 of the statutes is repealed.

SECTION 1538m. 72.60 of the statutes is renumbered 72.005 and amended to read:

72.005 Purpose. The purpose of this ~~subchapter~~ chapter is to obtain for Wisconsin the benefit of the maximum credit allowable upon the United States estate tax, to the full extent that this state may be entitled, by imposing this ~~additional~~ tax. This ~~subchapter~~ chapter is to be liberally construed to effect this purpose.

SECTION 1539m. 72.61 to 72.64 of the statutes are repealed.

SECTION 1540m. Subchapter IV of chapter 72 of the statutes, as affected by 1987 Wisconsin Act ... (this act), is repealed.

SECTION 1541m. 72.83 of the statutes is amended to read:

72.83 Rates. When the value of transfers within the same calendar year exceeds the exemptions allowed under s. 72.82, the tax upon transfers to classes of donees specified in s. 72.80 is imposed upon the same amounts ~~and~~, at the same rates as imposed on classes of distributees under s. 72.18 and with the same annual reductions of tax as under s. 72.18.

SECTION 1542m. 73.01 (4) (h) of the statutes is created to read:

73.01 (4) (h) The commission may extend any of its deadlines for persons designated in section 7508 (a) of the internal revenue code for the length of time specified in that section.

SECTION 1543m. 73.01 (4) (i) of the statutes is created to read:

73.01 (4) (i) If the department of revenue assesses under s. 71.11 (21) (f), the commission shall consolidate the appeals of that assessment.

SECTION 1544m. 73.03 (20) of the statutes is amended to read:

73.03 (20) To investigate all delinquent personal property, death and income taxes and surtaxes in the ~~several counties of the state~~ and the possibility of the collection ~~thereof of them~~ and to require taxing officials, including town treasurers, county treasurers, sheriffs and district attorneys ~~of their respective coun-~~

ties, to institute proceedings, actions and prosecutions for the collection of such delinquent taxes to the end so that the amount of such delinquent taxes shall be reduced to the minimum. In carrying out the provisions of this subsection the department of revenue is empowered to may examine or cause to be examined by any agent, employe or representative designated by it for that purpose, any books, papers, records or memoranda of any corporation, copartnership or individual, bearing upon ~~the matter~~ of the collection of any such delinquent taxes, and may require the attendance of the officials of any corporation, or of any other person having knowledge in the premises, and may take testimony and require proof material for their information upon any matter that they may deem of value for the purpose of enforcing the payment of such delinquent taxes. ~~Said~~ The department of revenue is ~~further empowered to do and~~ may also perform such other duties and adopt such other ~~procedure as~~ procedures that may be necessary to carry out the provisions of this subsection, and to direct that proceedings, actions and prosecutions be instituted to enforce the laws relating to the collection of such delinquent taxes of every kind and nature, ~~to~~. To this end, the department of justice shall, upon the request of the department of revenue, conduct such actions, proceedings, or prosecutions, or assist the local town, city, village or county officials ~~therein~~ in them.

SECTION 1552. 73.03 (33) of the statutes is created to read:

73.03 (33) To collect an administrative fee of \$3, each time the department issues a warrant under s. 71.13 (3) (a), from the person against whom the warrant is filed.

SECTION 1552e. 73.03 (34) of the statutes is created to read:

73.03 (34) To extend any deadline in regard to the taxes it administers for persons designated in section 7508 (a) of the internal revenue code for the length of time specified in that section.

SECTION 1552g. 74.03 (1g) of the statutes, as created by 1985 Wisconsin Act 29, is repealed.

SECTION 1552r. 74.03 (1r) of the statutes is renumbered 74.03 (1).

SECTION 1553. 74.03 (5) (am) of the statutes is repealed.

SECTION 1554a. 74.03 (5) (d) 3 of the statutes, as affected by 1985 Wisconsin Act 29, 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 ~~and to the board of commissioners of the Kahara watershed management district~~, the proportions of the net levy of the district as the balance 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, ~~the offset and school district levies offset by school aid credits paid under s. 79.10 (3).~~

SECTION 1554g. 74.03 (8) (f) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

74.03 (8) (f) Out of the remaining proceeds of the general taxes 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, special purpose district, 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 special purpose district purposes, for school purposes, for vocational, technical and adult education district purposes, for metropolitan sewerage district purposes and for town, city or village purposes that the balance of the general taxes collected in such town, city or village bears to the total balance then due on all general levies, ~~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 1554n. 74.03 (9) (a) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

74.03 (9) (a) Subsequent to the settlement provided in sub. (8), the county treasurer shall on the 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 of taxes shall be made by the county treasurer out of the taxes collected for each town, city or village in the order of preferences set forth in pars. (b) to (g). On those days the county treasurer shall also pay to every taxing jurisdiction for which it collects delinquent taxes that jurisdiction's share, based on its proportion of the delinquent taxes collected by the county, of the interest collected by the county under s. 74.80 and not previously paid to those jurisdictions.

SECTION 1554r. 74.03 (9) (f) of the statutes, as affected by 1985 Wisconsin Act 29, is 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 proportion

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of the balance due on school ~~net~~ levies and vocational, technical and adult education district ~~net~~ levies that the balance of the general taxes collected since the last settlement in the town, city or village minus amounts due under pars. (a) to (e) has to the total balance then due on all general levies on the property of that town, city or village until each district has received its total levy on that property. The county treasurer shall then pay to the treasurer of each town, city, village or special purpose district the proportion of the balance due on town, city, village or special purpose district ~~net levies~~ taxes that the balance of the general taxes collected since the last settlement in the town, city or village minus amounts due under pars. (a) to (e) has to the total balance then due on all general levies on the property of that town, city or village until the town, city, village or special purpose district has received its total levy on that property.

SECTION 1554w. 74.03 (9) (g) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

74.03 (9) (g) The treasurer shall finally retain any balance due on account of other county ~~net levies~~ taxes and charges.

SECTION 1555. 74.031 (8) (am) of the statutes is repealed.

SECTION 1556c. 74.031 (8) (d) 3 of the statutes, as affected by 1985 Wisconsin Act 29, 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 ~~and to the board of commissioners of the Yahara watershed management district~~ 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, state special charges, ~~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 1556g. 74.031 (8) (d) 3 of the statutes, as affected by 1985 Wisconsin Act 29 and 1987 Wisconsin Act (this act), is repealed and recreated 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, vocational, technical and adult education district treasurer ~~and to the board of commissioners of the Yahara watershed management district~~ the proportions of the 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.

SECTION 1556m. 74.031 (11) (f) of the statutes, as affected by 1985 Wisconsin Act 29, is 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 proportion of the balance due on school ~~net~~ levies and vocational, technical and adult education district ~~net~~ levies that the balance of the general taxes collected since the last settlement in the town, city or village minus amounts due under pars. (a) to (e) has to the total balance then due on all general levies on the property of that town, city or village until each district has received its total levy on that property. The county treasurer shall then pay to the treasurer of each town, city, village or special purpose district the proportion of the balance due on city, village, town or special purpose district ~~net levies, as defined in s. 74.03 (1g) (a),~~ taxes that the balance of the general taxes collected since the last settlement in the town, city or village minus amounts due under pars. (a) to (e) has to the total balance then due on all general levies on the property of that town, city or village until the town, city, village or special purpose district has received its total levy on that property.

SECTION 1556s. 74.031 (11) (g) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

74.031 (11) (g) He or she shall finally retain any balance due on account of other county ~~net levies, as defined in s. 74.03 (1g) (a),~~ taxes and charges.

SECTION 1557m. 74.39 of the statutes is amended to read:

74.39 Sale of real estate. On the day designated in the notice of sale the county treasurers shall begin the sale of those lands on which the taxes, penalty and interest have not been paid and shall continue every day, Sundays excepted, until enough of each parcel has been sold to pay the taxes, interest and penalty as provided under s. 74.80 upon the amount of such taxes from January 1 of the next year after the tax levy. ~~Of the proceeds of the sale, an amount equal to the actual costs of the sale and the taxes, penalty and interest shall be paid into the county treasury, any special assessments owed and penalties and interest in respect to those assessments shall be sent to the unit of government to which they are owed and the remainder of the proceeds shall be paid to the person whose property was sold. All moneys received from that sale shall be paid into the county treasury.~~ If the treasurer discovers before the sale that because of irregular assessment or any other error any of the lands ought not to be sold, the treasurer shall not offer them for sale but shall report the lands withheld from sale and the reasons for withholding them to the county board at its next session.

SECTION 1558m. 74.46 (3) of the statutes is created to read:

Vetoed
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Vetoed
in Part

74.46 (3) The proceeds from any assignment of tax certificates by the county under sub. (2) are subject to the procedure under s. 75.35 (5) for distribution of proceeds.

SECTION 1559m. 75.34 (3) of the statutes is created to read:

75.34 (3) Section 75.35 (5) applies to the proceeds from the sale of tax certificates under sub. (1).

SECTION 1560m. 75.35 (5) of the statutes is created to read:

75.35 (5) NOTICE; PROCEEDS. Upon acquisition of a deed under s. 75.14, the county treasurer shall notify the former owner, by registered mail sent to the former owner's mailing address on the tax bill, that the former owner may be entitled to a share of the proceeds of a future sale. If the former owner does not request, in writing, payment within 60 days after receipt of that notice, the former owner forfeits all claim to those proceeds. If the former owner timely requests payment and if the property is not subject to a special assessment the proceeds of which are pledged under s. 66.54 (10), the county shall send to the former owner the proceeds minus any delinquent taxes, interest and penalties owed by the former owner to the county in regard to other property and minus the greater of the following amounts:

(a) Five hundred dollars plus 50% of the amount obtained by subtracting \$500 from the proceeds.

(b) The actual costs of the sale as specified under s. 75.36 (7) plus 2% of the sale price plus all delinquent taxes, interest, penalties and special assessments owed on the property sold and plus the amount of property taxes that would have been owed on the property for the year during which the sale occurs if the county had not acquired the property.

SECTION 1560p. 75.35 (6) of the statutes is created to read:

75.35 (6) SPECIAL ASSESSMENTS. From the amounts retained under sub. (5), the county shall pay any special assessments owed and penalties and interest on those assessments to the unit of government to which they are owed.

SECTION 1560r. 75.35 (7) of the statutes is created to read:

75.35 (7) LIABILITY PRECLUDED. Absent fraud, no county is liable for acts or omissions associated with the sale of property under this section.

SECTION 1561m. 75.521 (3) (am) 2 of the statutes is amended to read:

75.521 (3) (am) 2. The name or names of the last owner or owners; and mortgagee or mortgagees of ~~such~~ the parcel as ~~such~~ the ownership or mortgage interest appears of record in the office of the register of deeds of the county ~~wherein such~~ in which the parcel is situated, and the state of Wisconsin ~~where~~ if it has a determined but unpaid ~~inheritance~~ death tax lien, a filed, nonoutlawed income tax warrant or a docketed judgment, all in the county where ~~such~~ the parcel is situated.

SECTION 1562m. 75.67 (4) of the statutes is created to read:

75.67 (4) Section 75.35 (5) applies to sales under this section.

SECTION 1563m. 76.28 (1) (d) of the statutes is amended to read:

76.28 (1) (d) "Gross revenues" means total operating revenues as reported to the public service commission except revenues for interdepartmental sales and for interdepartmental rents as reported to the public service commission and deductions from the sales and use tax under s. 77.61 (4) ~~less, except that the company may subtract from revenues either~~ the actual cost of power purchased for resale, as reported to the public service commission, by a light, heat and power company, except a municipal light, heat and power company, that purchases under federal or state approved wholesale rates more than 50% of its electric power from a person other than an affiliated interest, as defined in s. 196.52 (1), if the revenue from that purchased electric power is included in the seller's gross revenues or the following percentages of the actual cost of power purchased for resale, as reported to the public service commission, by a light, heat and power company, except a municipal light, heat and power company, that purchases more than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50% for the fee assessed on May 1, 1990, and thereafter.

SECTION 1563p. 76.28 (1) (e) (intro.) of the statutes is amended to read:

76.28 (1) (e) (intro.) "Light, heat and power companies" means any person, association, company or corporation, including corporations described in s. 66.069 (2) and except only business enterprises carried on exclusively either for the private use of the person, association, company or corporation engaged in them, or for the private use of a person, association, company or corporation owning a majority of all outstanding capital stock or who control the operation of business enterprises and except ~~cooperative associations~~ electric cooperatives taxed under s. 76.48 that engage in any of the following businesses:

SECTION 1563s. 76.38 (1) (aa) of the statutes is created to read:

76.38 (1) (aa) "Access expense" means any charge paid by a telephone company to another telephone company for telecommunications services and facilities that permit subscriber origination or termination of telecommunications between a point or points in one telephone exchange and a point or points in another telephone exchange.

~~SECTION 1563tm. 76.38 (1) (ac) of the statutes, as created by 1985 Wisconsin Act 29, is amended to read:~~

~~76.38 (1) (ac) "Allocable share of approved reselling services" means actual costs incurred for access expenses and for services under par. (b)(m) 1 actually utilized in providing the telecommunications services~~

Vetoed
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in Part

~~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 1563ma. 76.38 (1) (ac) of the statutes, as created by 1985 Wisconsin Act 297, is amended to read:~~

~~76.38 (1) (ac) "Allocable share of approved reselling services" means actual costs incurred for access expenses and for services under par. (b)(m) 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 1564c. 76.38 (1) (b) of the statutes is amended 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. For qualifying telecommunications resellers, "gross revenues" does not include the allocable share of approved reselling services sold to the public. "Gross revenues" does not include any revenues collected from service users under s. 146.70 (3). For fees assessed on May 1, 1989, and thereafter, telecommunications companies, except qualifying telecommunications resellers, may deduct 14.5% of the access expenses incurred during the previous year.~~

Vetoed
in Part

~~SECTION 1564cm. 76.38 (1) (b) of the statutes, as created by 1985 Wisconsin Act 297, is amended 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. For qualifying telecommunications resellers, "gross revenues" does not include the allocable share of approved reselling services sold to the public. "Gross revenues" does not include any revenues collected from service users under s. 146.70 (3). For fees assessed on May 1, 1989, and thereafter, telecommunications companies, except qualifying telecommunications resellers, may deduct 14.5% of the access expenses incurred during the previous year.~~

Vetoed
in Part

~~SECTION 1564m. 76.38 (1) (c) of the statutes is amended 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. "Telephone company" does not include any person who operates a private shared telecommunications system as defined in s. 196.201 (1) and who is not otherwise a telephone company.~~

~~SECTION 1564r. 76.38 (2) (a) of the statutes is amended to read:~~

~~76.38 (2) (a) Every telephone company shall on or before March 1 in each year make and return to the department in such form and upon such blanks as the department prescribes, a true statement of its access expenses and of the gross revenues from the operation of its business during the preceding calendar year, which statement shall be certified by the president and treasurer of such company so operating, or 2 of the principal officers thereof. For sufficient reason shown, the department may upon written request allow such further time for making and filing the report as it deems necessary but not to exceed 30 days.~~

~~SECTION 1565m. 76.38 (2) (c) of the statutes is amended to read:~~

~~76.38 (2) (c) All other operating revenues attributable to this state which can be definitely assigned to a telephone exchange operated by that telephone company in this state shall be classified as exchange service revenue, but if assignment cannot reasonably be made, those other operating revenues shall be classified as toll business gross revenues. All access revenues are exchange service revenues.~~

~~SECTION 1566m. 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 person that was carrying on business as a telephone company on the preceding January 1 of the amount of the license fee assessed. Any person who pays the May 1 assessment in full has a license to carry on business as a telephone company in this state for the 12-month period beginning on the preceding January 1. 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 after receipt. The payment dates provided for in sub. (3a) shall apply.

SECTION 1567m. 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% and except that for license fees assessed on May 1, 1989, and thereafter the rate if gross revenues equal or exceed \$500,000 is 5.9%.

SECTION 1569m. 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% and except that for the license fees assessed on May 1, 1989, and thereafter the rate if gross revenues equal or exceed \$700,000 and are less than \$800,000 is 8.073%.

SECTION 1571m. 76.38 (7) of the statutes is created to read:

76.38 (7) Any net decrease in a telephone company's tax under this section because of changes to subs. (1) (ac) and (b) and (4) (e) made by 1987 Wisconsin Act (this act) shall be reflected in rates charged to the company's customers, as determined by the appropriate regulatory agency.

SECTION 1572m. 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. ~~The, except that the additional license fees shall become delinquent 30 60 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 or, if review proceedings are held, 60 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 1573m. 76.38 (14) of the statutes is amended to read:

76.38 (14) In case any telephone company discontinues service through sale, merger, abandonment of its property or otherwise, the telephone company acquiring such property or undertaking to provide service in the area of the former company shall assume the license fees due pursuant to the provisions of this section, ~~provided, however, except that the liability of the acquiring company shall be limited to those license fees which may have accrued from January 1 of the previous calendar year to the date of the order of the public service commission approving the sale, or merger or discontinuance of service.~~

SECTION 1573nb. 76.48 (title) of the statutes is amended to read:

76.48 (title) License fees, electric cooperatives.

SECTION 1573ng. 76.48 (1) of the statutes is renumbered 76.48 (1r) and amended to read:

76.48 (1r) Every electric cooperative association ~~organized under ch. 185 which carries on the business of generating, transmitting or distributing electric energy to its members at wholesale or retail shall pay,~~ in lieu of other general property and income taxes, an annual license fee of 2.35% ~~to be computed on that portion of its total gross revenues from the sale of electric energy and from rentals of electric property derived by multiplying total gross revenues by a fraction, the numerator of which is the average book cost of utility plant located in this state, and the denominator of which is the average book cost of utility plant located everywhere. The average book cost shall be determined by averaging the beginning and year end balances at original cost, including construction work in progress. In this subsection "book cost of utility plant" has the meaning set forth in the uniform system of accounts prescribed by the U.S. rural electrification administration in Bulletin 181-1, dated January 1, 1978 equal to its apportionment factor multiplied by its gross revenues multiplied by 3.19%.~~ Real estate and personal property not used primarily for the purpose of generating, transmitting or distributing electric energy ~~shall be~~ are subject to general property taxes. If a general structure is used in part to generate,

transmit or distribute electric energy and in part for nonoperating purposes, the license fee imposed by this section is in place of the percentage of all other general property taxes that fairly measures and represents the extent of the use in generating, transmitting or distributing electric energy, 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 1573nj. 76.48 (1g) of the statutes is created to read:

76.48 (1g) In this section:

(a) "Apportionment factor" has the meaning under s. 76.28 (1) (a).

(b) "Book cost of utility plant" has the meaning set forth in the uniform system of accounts prescribed by the U.S. rural electrification administration in bulletin 181-1, dated January 1, 1978.

(c) "Electric cooperative" means a cooperative association organized under ch. 185 that carries on the business of generating, transmitting or distributing electric energy to its members at wholesale or retail.

(d) "Gross revenues" means total operating revenues, except revenues for interdepartmental sales and for interdepartmental rents, less deductions from the sales and use tax under s. 77.61 (4) and, in respect to any electric cooperative that purchases more than 50% of the power it sells, less the actual cost of power purchased for resale by an electric cooperative, if the revenue from that purchased electric power is included in the seller's gross revenues or if the electric cooperative purchased more than 50% of the power it sold in the year prior to the effective date of this paragraph [revisor inserts date], from a seller located outside this state.

(e) "Payroll factor" has the meaning under s. 76.28 (1) (f).

(f) "Property factor" has the meaning under s. 76.28 (1) (g).

(g) "Sales factor" means a fraction the numerator of which is the electric cooperative's total sales of electricity in this state, not including sales to out-of-state purchasers that are delivered to transmission facilities in this state, for the tax period and the denominator of which is the electric cooperative's total sales of electricity for the tax period.

(h) "Tax period" has the meaning under s. 76.28 (1) (i).

SECTION 1573nn. 76.48 (2) to (5) of the statutes are amended to read:

76.48 (2) Every ~~such association~~ electric cooperative shall on or before March 15 in each year make and return to the department of revenue, in ~~such the~~ form and upon ~~such the~~ blanks ~~as it shall prescribe and furnish that the department prescribes and furnishes~~, a true statement of the gross receipts from the operation of its business during the preceding calendar year together with such other information as that

the department ~~may require~~ requires to enforce this section. The statement shall be verified by the president and treasurer of the ~~association~~ electric cooperative making the return. Upon written request, the department may grant an extension of not to exceed 30 days within which to file the return. If any ~~association~~ electric cooperative fails to file the return within the time prescribed by law, or as extended by the department, ~~unless it is shown that the failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount required to be shown as the license fee on the return 5% of the amount thereof if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate the department shall add to the taxes due from the electric cooperative \$25, and the electric cooperative may not contest the imposition of that penalty in any action or proceeding.~~

(3) On or before May 1 in each year, the department of revenue shall compute and assess the license fees provided for in sub. (4) (1r) and certify the amounts due to the state treasurer and file a duplicate thereof with the department of administration. The department shall notify each ~~association~~ electric cooperative of the amount of the license fees so assessed. The fees shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month on the amount of license fee until paid. The interest shall be collected by the department and, upon collection, forwarded to the state treasurer and retained by the state. The payment dates provided for in sub. (3a) shall apply.

(3a) License fees due under this section shall be paid to the department on an estimated basis. Payments of semiannual instalments of the estimated tax liability for the subsequent 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. (3), each ~~association~~ electric cooperative 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 ~~association~~ electric cooperative fails to make semiannual payments of at least 55% of the tax assessed for the current calendar year or 50% of the tax assessed for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Associations with a liability 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.

(4) All license fees provided in sub. ~~(4)~~ (1r) shall be deposited in the general fund for use of the state.

(5) Additional assessments may be made, if notice of such assessment is given, within 4 years of the date the annual return was filed, but if no return was filed, or if the return filed was incorrect and was filed with intent to defeat or evade the tax, an additional assessment may be made at any time upon the discovery of gross revenues by the department. Refunds may be made if a claim for the refund is filed in writing with the department within 4 years of the date the annual return was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified by the department to the secretary of administration who shall audit the amounts of such overpayments and the state treasurer shall pay the amount audited. ~~Any refund, and interest on the refund, shall be deducted from the municipal and county shared tax account under ch. 79.~~ Additional assessments shall bear interest at the rate of 12% per year from the time they should have been paid to the date upon which they shall become delinquent if unpaid.

SECTION 1573p. 77.13 (2) of the statutes is amended to read:

77.13 (2) On and after ~~July 20, 1985~~ January 1, 1986, 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.

SECTION 1573t. 77.13 (3) of the statutes is repealed.

SECTION 1574b. 77.16 (14) (b) of the statutes is amended to read:

77.16 (14) (b) On and after ~~July 20, 1985~~ January 1, 1986, 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.

SECTION 1574g. 77.16 (14) (c) of the statutes is repealed.

SECTION 1574m. 77.22 (1) (a) of the statutes is amended to read:

77.22 (1) (a) There is imposed on the grantor of real estate a real estate transfer fee at the rate of 30 cents for each \$100 of value or fraction thereof on every conveyance not exempted or excluded under this subchapter. This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. ~~At~~ Except as provided in s. 77.255, at the time of submission the grantee or his or her duly authorized agent or other person acquiring an ownership interest under the instrument shall execute a return, signed by both grantor and grantee, on the form prescribed under par. (b). The register shall enter the fee paid on the face of the deed or other instrument of conveyance before recording, and, except as provided in s. 77.255, submission of a completed real estate transfer return and collection by the

register of the fee shall be prerequisites to acceptance of the conveyance for recording. The register shall have no duty to determine either the correct value of the real estate transferred or the validity of any exemption or exclusion claimed. If the transfer is not subject to a fee as provided in this subchapter, the reason for exemption shall be stated on the face of the conveyance to be recorded by reference to the proper subsection under s. 77.25. All returns related to conveyances exempt from the fee need not report the value of the ownership transferred except conveyances exempt under sub. (2) (a) and s. 77.25 (8).

SECTION 1575m. 77.25 (2) of the statutes is amended to read:

77.25 (2) ~~To~~ From the United States or ~~to~~ from this state or ~~to~~ from any instrumentality, agency or subdivision of either.

SECTION 1576m. 77.255 of the statutes is amended to read:

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), ~~(2)~~, (4) or (11) from the fee imposed under s. 77.22.

SECTION 1579m. 77.51 (13) (am) of the statutes is amended to read:

77.51 (13) (am) Any person making any retail sale of a motor vehicle, aircraft, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or boat registered or titled, or required to be registered or titled, under the laws of this state or of the United States.

SECTION 1580m. 77.51 (14g) (g) of the statutes is amended to read:

77.51 (14g) (g) The transfer of property in a reorganization as defined in ~~s. 71.368~~ section 368 of the internal revenue code in which no gain or loss is recognized for franchise or income tax purposes under ss. 71.301 to 71.368; or

SECTION 1581m. 77.52 (2) (a) 10 of the statutes is amended to read:

77.52 (2) (a) 10. Except for installing or applying tangible personal property which, when installed or applied, will constitute an addition or capital improvement of real property, the repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection and maintenance of all items of tangible personal property unless, at the time of such repair, service, alteration, fitting, cleaning, painting, coating, towing, inspection or maintenance, a sale in this state of the type of property repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected or maintained would have been exempt to the customer from sales taxation under this subchapter, other than the exempt sale of a motor vehicle, aircraft or truck body to a nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51 (14r). For purposes of this paragraph, the following items shall be deemed to have retained their character as tangible personal property, regardless of the extent to which

any such item is fastened to, connected with or built into real property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers, water pumps, water heaters, water conditioners and softeners, clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and radio antennas, incinerators, television receivers and antennas, record players, tape players, juke boxes, vacuum cleaners, furniture and furnishings, carpeting and rugs, bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps, electronic dust collectors, grills and rotisseries, bar equipment, intercoms, recreational, sporting, gymnasium and athletic goods and equipment including by way of illustration but not of limitation bowling alleys, golf practice equipment, pool tables, punching bags, ski tows and swimming pools; office, restaurant and tavern type equipment including by way of illustration but not of limitation lamps, chandeliers, and fans, venetian blinds, canvas awnings, office and business machines, ice and milk dispensers, beverage-making equipment, vending machines, soda fountains, steam warmers and tables, compressors, condensing units and evaporative condensers, pneumatic conveying systems; laundry, dry cleaning, and pressing machines, power tools, burglar alarm and fire alarm fixtures, electric clocks and electric signs. "Service" does not include services performed by veterinarians.

SECTION 1582m. 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. If the department suspends or revokes a permanent permit under this paragraph, it may grant a temporary permit that is valid for one month and may then grant additional temporary permits if the person pays all amounts owed under this chapter for the month for which the previous temporary permit was issued. Persons who receive a temporary permit waive the notice requirement under s. 77.61 (2). The department shall not issue a new permanent 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, the rules of the department relating to the sales tax and the provisions relating to other taxes administered by the department.

SECTION 1583m. 77.52 (12) of the statutes is amended to read:

77.52 (12) A person who operates as a seller in this state without a permit or after a permit has been suspended, revoked or has expired, unless the person has a temporary permit under sub. (11) (a), and each officer of any corporation, partnership member or other person authorized to act on behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held only by persons actively operating as sellers of tangible personal property or taxable services. Any person not so operating shall forthwith surrender that person's permit to the department for cancellation. The department may revoke the permit of a person found not to be actively operating as a seller of tangible personal property or taxable services.

SECTION 1584m. 77.53 (17) of the statutes is amended to read:

77.53 (17) This section does not apply to tangible personal property purchased outside this state, other than motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles and airplanes registered or titled or required to be registered or titled in this state, which is brought into this state by a nondomiciliary for the person's own storage, use or other consumption while temporarily within this state when such property is not stored, used or otherwise consumed in this state in the conduct of a trade, occupation, business or profession or in the performance of personal services for wages or fees.

~~SECTION 1584s. 77.53 (17m) of the statutes is amended 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.~~

Vetoed
in Part

SECTION 1585m. 77.53 (18) of the statutes is amended to read:

77.53 (18) This section does not apply to the storage, use or other consumption in this state of household goods for personal use, including motor vehicles, or to aircraft, motor vehicles, boats, snowmobiles, mobile homes, trailers, semitrailers and all-terrain vehicles, for personal use, purchased by a nondomiciliary of this state outside this state 90 days or more

before bringing the goods or property into this state in connection with a change of domicile to this state.

SECTION 1586m. 77.54 (7) of the statutes is amended to read:

77.54 (7) The occasional sales of tangible personal property and services and the storage, use or other consumption in this state of tangible personal property, the transfer of which to the purchaser is an occasional sale. This exemption shall, in the case of motor vehicles, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft registered or titled, or required to be registered or titled, in this state, and boats registered or titled, or required to be registered or titled, in this state or under the laws of the United States, be limited to motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft transferred to the spouse, parent or child of the transferor, and to motor vehicles transferred from the transferor's individual ownership to a corporation owned solely by the transferor, and then only if the motor vehicle, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft has been previously registered or titled in this state or in the case of boats, registered or titled under the laws of this state or the United States, in the name of the transferor and the person selling is not engaged in the business of selling the type of property for which exemption is claimed. This exemption does not apply to gross receipts from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards.

SECTION 1587m. 77.54 (30) (a) 4 of the statutes is created to read:

77.54 (30) (a) 4. Any residue that is used as fuel in a business activity and that results from the harvesting of timber or the production of wood products, including slash, sawdust, shavings, edgings, slabs, leaves, wood chips, bark and wood pellets manufactured primarily from wood or primarily from wood residue.

SECTION 1587r. 77.54 (37) of the statutes is created to read:

77.54 (37) The gross receipts from revenues collected under s. 146.70 (3).

SECTION 1588m. 77.61 (1) (a) of the statutes is amended to read:

77.61 (1) (a) No motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft shall be registered or titled in this state unless the registrant presents proof that the sales or use taxes imposed by this subchapter have been paid.

SECTION 1589m. 77.61 (1) (c) of the statutes is amended to read:

77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft registered or titled, or required to be registered or

titled, in this state purchased from persons who are not Wisconsin boat, trailer or, semitrailer or all-terrain vehicle dealers or licensed Wisconsin aircraft, motor vehicle, mobile home or snowmobile dealers, the purchaser shall file a sales tax report and pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft in this state.

~~SECTION 1589r. 77.61 (5) (b) 4 of the statutes is amended to read:~~

~~77.61 (5) (b) 4. Public officers of the federal government or other state governments or the authorized agents of such officers, where necessary in the administration of the laws of such governments, to the extent that such government accords similar rights of examination or information to officials of this state, except that all agreements affecting businesses in this state and made with another state and all policies related to sharing information under those agreements shall be promulgated as rules under subch. II of ch. 227.~~

Vetoed
in Part

SECTION 1597. 77.65 (3) of the statutes is amended to read:

77.65 (3) Keep continuously in effect during the period that a loan is outstanding under this subchapter a fire and extended casualty insurance policy on the qualifying dwelling unit satisfactory to the department and permit the department to be named on the policy as an insured a lienholder; and

~~SECTION 1598. 77.66 (1) of the statutes is amended to read:~~

~~77.66 (1) 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. The setting of the interest rate is subject to review by the joint committee on finance in the same manner as are supplements under s. 16.515.~~

Vetoed
in Part

SECTION 1599. 77.66 (9) of the statutes is amended to read:

77.66 (9) Upon the making of the initial loan, a nonconsensual statutory lien in favor of the department to secure payment of the principal, interest, fees and charges due on all loans, including loans made after the lien is filed, to the participant made under

this subchapter shall attach to the qualifying dwelling unit in respect to which the loan is made. The qualifying dwelling unit shall remain subject to the statutory lien until the payment in full of all loans and charges. If the department funds such loans from the proceeds of revenue obligations under s. 77.67, its right under the lien shall automatically accrue to the benefit of the holders of those revenue obligations, without any action or assignment by the department. When a loan becomes due and payable, the statutory lien hereby conferred may be enforced by the department or the holders of the revenue obligations or their representative, as the case may be, in the same manner as a construction lien under ss. 779.09 to 779.12, except that neither the participant nor any coowners or their personal representatives, successors or assigns shall be personally liable for any deficiency which may arise from the sale. At the time of disbursing the initial loan to a participant, the department shall file with the register of deeds of the county in which the qualifying dwelling unit is located, on a form prescribed by the department which shall contain a legal description of the qualifying dwelling unit, a notice of the loan made under this subchapter and the existence of the statutory lien arising therefrom. The register of deeds shall, without fee, record the notice in the land records and index it in the indexes maintained by the register of deeds. The statutory lien created by this section shall have priority over any lien that originates subsequent to the recording of the notice.

SECTION 1600m. 77.70 of the statutes is amended to read:

77.70 Adoption by county ordinance. Any county desiring to impose county sales and use taxes under this subchapter may do so by the adoption of an ordinance, stating its purpose and referring to this subchapter. The county sales and use taxes may be imposed only for the purpose of directly reducing the property tax levy and only in their entirety as provided in this subchapter. That ordinance shall be effective on the first day of April of the succeeding calendar year. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on ~~the date designated in the repeal ordinance~~ December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least ~~30~~ 60 days before the effective date of the repeal.

SECTION 1601m. 77.71 (3) of the statutes is amended to read:

77.71 (3) An excise tax is imposed upon a contractor engaged in construction activities within the county, at the rate of 0.5% of the sales price of tangible personal property that is used in constructing, altering, repairing or improving real property and that becomes a component part of real property in that county, unless the contractor has paid the sales tax of a county in this state on that property, and except that

if the buyer has paid a similar local sales tax in another state on a purchase of the same property that tax shall be credited against the tax under this subsection.

SECTION 1602m. 77.71 (4) of the statutes is amended to read:

77.71 (4) An excise tax is imposed at the rate of 0.5% of the sales price upon every person storing, using or otherwise consuming a motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft, if that property must be registered or titled with this state and if that property is to be customarily kept in a county that has in effect an ordinance under s. 77.70, except that if the buyer has paid a similar local sales tax in another state on a purchase of the same property that tax shall be credited against the tax under this subsection.

~~SECTION 1602s. 77.785 (2) of the statutes is amended to read:~~

~~77.785 (2) Prior to registration or titling, boat, all-terrain vehicle, trailer and semi-trailer dealers and licensed aircraft, motor vehicle, mobile home and snowmobile dealers shall collect the taxes under this subchapter on sales of items under s. 77.71 (4) and, The dealer shall remit those taxes to the state agency that registers or titles that property department of revenue along with payments of the taxes under subch. II.~~

Vetoed in Part

~~SECTION 1602v. 77.82 (7) (bm) of the statutes is created to read:~~

~~77.82 (7) (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.~~

Vetoed in Part

SECTION 1603m. 78.01 (1) of the statutes is amended to read:

78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax of 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under ~~s.~~ ss. 78.015 and 78.017 is imposed on all motor fuel sold, used or distributed in this state except as otherwise provided in this chapter. The motor fuel tax is to be computed and paid as provided in this chapter. Except as otherwise provided in this chapter, the wholesaler, as defined in s. 78.08, shall collect from the purchaser and the purchaser shall pay to the wholesaler the tax imposed by this section on each sale of motor fuel by the wholesaler at the time of the sale, irrespective of whether the sale is for cash or on credit.

In each subsequent sale or distribution of motor fuel on which the tax has been collected as provided in this subsection, the tax collected shall be added to the selling price so that the tax is paid ultimately by the user of the motor fuel.

Vetoed
in Part

~~SECTION 1603r. 78.015 (1) of the statutes is amended to read:~~

~~78.015 (1) Beginning in 1985 In 1985 to 1987, on or before April 1, and in 1989 and thereafter on or before July 1, the department shall recompute and publish the rate for the tax imposed under s. 78.01 (1) and the rate under s. 78.14. The new rate per gallon shall be calculated by multiplying the rate in effect at the time of the calculation by an amount obtained by multiplying the amount under sub. (2) by the amount under sub. (3).~~

~~SECTION 1603s. 78.015 (5) of the statutes is amended to read:~~

~~78.015 (5) The rate calculated under this section is effective in 1985 to 1987 on the April 1, and in 1989 and thereafter on the July 1, after the calculation.~~

SECTION 1604m. 78.017 of the statutes is created to read:

78.017 Adjustment in 1987. On August 1, 1987, the rate of the tax imposed under s. 78.01 (1), after the adjustment for that year under s. 78.015, shall be increased by 2 cents per gallon.

SECTION 1605m. 78.14 of the statutes is amended to read:

78.14 Tax paid is public money. Every wholesaler who sells or distributes any motor fuel for any purpose in this state shall collect from the purchaser at the time of the sale or distribution 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under ~~s. ss. 78.015 and 78.017~~ on all motor fuel sold or distributed. All sums paid by the purchaser to the wholesaler as taxes upon the motor fuel, upon which the tax imposed by this chapter has not been paid previously, are public money, the property of this state.

SECTION 1606m. 78.40 (1) of the statutes is amended to read:

78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax of 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under ~~s. ss. 78.405 and 78.407~~ is imposed on the use, as defined in s. 78.44, of special fuel. The tax, with respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of delivery and shall be collected by the dealer from the special fuel user and shall be paid to the department. The tax, with respect to special fuel acquired by any special fuel user other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle, attaches at the time of the use of the fuel and shall be paid to the department by the user. The department may permit any supplier of special fuel to report and pay to the department the tax on

special fuel delivered into the storage facility of a special fuel user or retailer which will be consumed for special fuel tax purposes or sold at retail.

~~SECTION 1606r. 78.405 of the statutes is amended to read:~~

~~78.405 Annual adjustment of tax rate. Beginning in 1985 In 1985 to 1987, on or before April 1, and in 1989 and thereafter on or before July 1, the department shall adjust and publish the rate in s. 78.40 using the calculations under s. 78.015. The adjusted rate is effective in 1985 to 1987 on the April 1, and in 1989 and thereafter on the July 1, after it is calculated.~~

Vetoed
in Part

SECTION 1607m. 78.407 of the statutes is created to read:

78.407 Adjustment in 1987. On August 1, 1987, the rate of the tax imposed under s. 78.40 (1), after the adjustment for that year under s. 78.405, shall be increased by 2 cents per gallon.

SECTION 1608m. 78.73 (1) (d) of the statutes is amended to read:

78.73 (1) (d) Uses a false or fictitious name or gives a false or fictitious address in any application or form required by this chapter or s. 341.45, or otherwise commits a fraud in any application, record, report or claim for refund;

SECTION 1609m. 78.73 (4) of the statutes is amended to read:

78.73 (4) FAILURE TO REPORT OR PAY. Any person who fails or refuses to make a report or payment as provided in this chapter or s. 341.45 shall be fined not more than \$5,000 or imprisoned in the county jail for not more than one year or both.

~~SECTION 1609s. 78.75 (1) (a) 1 of the statutes is amended to read:~~

~~78.75 (1) (a) 1. Except as provided under 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, for the purpose of transporting elementary or secondary school pupils, if the person who has paid the tax is a school bus contractor or a public or private school, 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.~~

Vetoed
in Part

SECTION 1609um. 78.75 (1) (c) of the statutes is amended to read:

78.75 (1) (c) The seller, upon request, shall furnish each purchaser with the original invoice prepared at the time of delivery, and the purchaser shall send such original invoice to the department when making claim for refund. The term "original invoice", as used herein, means the top copy and not a duplicate original or carbon copy of the original invoice. The original invoice shall be printed or rubber stamped with the words "Original Invoice" and shall in addition contain the following information: 1- date of sale, 2- name and address of seller, 3- name and address of

purchaser (which name must be the name of the claimant), 4. number of gallons purchased and the price per gallon, 5. amount of Wisconsin motor fuel or special fuel tax paid as a separate item, 6. ~~and~~ receipt for payment. Double-faced carbon paper shall be used between the original invoice and the first carbon copy unless such invoice is upon a special paper or product approved in advance by the department as affording protection equivalent to double-faced carbon paper. A separate original invoice must be used for each sale and delivery. The original invoice shall be legibly written and shall comply with the foregoing requirements. The claim shall state whether or not the applicant owns an automobile or truck or any other motor-driven machinery or appliance which consumes motor fuel or special fuel; the total number of gallons of motor fuel or special fuel purchased; the number of gallons of such motor fuel or special fuel purchased on which refund is claimed; a detailed statement of the consumption of such motor fuel or special fuel on which refund is claimed, describing the machinery, equipment or appliance in which consumed, giving the serial or manufacturer's number of the motor and the approximate number of gallons consumed in each; or if such fuel were not consumed in any such machinery, equipment or appliance, then a description of the purposes for which the fuel was consumed with the approximate number of gallons consumed for each purpose; a statement whether or not deduction has been made for motor fuel or special fuel consumed in applicant's automobile ~~or truck or other motor-driven machinery or appliance~~; and such other information as the department deems necessary.

Vetoed
in Part

SECTION 1610m. 78.76 (title) of the statutes is renumbered 341.45 (title).

SECTION 1611m. 78.76 (1) of the statutes is renumbered 341.45 (1g) and amended to read:

341.45 (1g) Every person who purchases or obtains motor fuel or special fuel outside of this state and operates any motor vehicle into this state upon the public highways of this state and transports motor fuel or special fuel in the fuel supply tank or tanks attached or unattached to said the motor vehicle for the sole purpose of operating said the vehicle, shall pay the Wisconsin motor fuel or special fuel tax on the gallons consumed by such the motor vehicle while operated on Wisconsin public the highways, except that this section shall does not apply to any motor vehicle coming into this state with a motor fuel or special fuel tank capacity not to exceed 20 gallons. Payment of the tax shall be made by purchase of motor fuel or special fuel within Wisconsin this state of such gallonage as is equivalent to the gallonage consumed while operating such the motor vehicle on the public highways of Wisconsin this state, or by direct remittance to the department. ~~If deemed necessary to determine the amount of tax due or to prevent tax evasion, the~~

(1m) (a) The department may require any such person required to pay under sub. (1g) to report on forms prescribed by it, to display evidence of compliance with sub. (1g) and to pay taxes in the same manner as is provided for licensees. ~~If specified by the department. The department shall require any person is convicted of evading the tax due under this subsection, the department shall require any such person sub. (1g) to report quarterly on forms and in the manner prescribed by it, and to pay taxes in the same manner as is provided for licensees the department.~~

(b) Every person required to make returns and pay the tax herein imposed shall be under sub. (1g) is subject to all provisions of this chapter and all fines and penalties herein imposed under ch. 78 for violations thereof of that chapter. The department shall notify the department of revenue of violations of sub. (1g) and this subsection and the department of revenue shall give priority to the enforcement of sub. (1g) and this subsection.

SECTION 1612m. 78.76 (2) and (3) of the statutes are renumbered 341.45 (2) and (3) and amended to read:

341.45 (2) Every person regularly or habitually operating motor vehicles upon the public highways of any other state and using in said those motor vehicles motor fuel or special fuel purchased or obtained in this state, shall be allowed a credit or refund equal to the tax on said the motor fuel or special fuel actually paid to the state in which it is used, but not to exceed the tax imposed on said motor fuel or special fuel by this state, except that this subsection shall does not apply to any motor vehicle going into such the other state from this state with not to exceed 20 gallons of motor fuel or special fuel in its tanks or with a motor fuel or special fuel tank capacity not to exceed 20 gallons. No such credits or refund shall be allowed for taxes paid to any state which imposes a tax upon motor fuel or special fuel purchased or obtained in this state and used on the highways of such other state, and which does not allow a similar credit or refund for the tax paid to this state on motor fuel or special fuel purchased or acquired in such the other state and used on highways of this state. Every person claiming a credit or refund shall file a report in the form as is prescribed by the department, together with the proof of the payment of the tax and of the fact that it was paid on motor fuel or special fuel purchased or obtained within this state that the department requires. If the report is not filed within 90 days after the tax is paid to the other state, no credit or refund may be paid. Any such claimant not required so to do under sub. (1) (1m) shall make and file returns in the same manner and containing the same information as required by persons to whom sub. (1) (1m) is applicable. This subsection shall supersede any provision of this chapter in conflict therewith.

(3) The department is hereby empowered to may enter into reciprocal agreements with the appropriate officials of any other state under which it may waive all or any part of the requirements imposed by this section upon those who use motor fuel or special fuel upon which the tax has been paid to ~~such other another~~ state, ~~provided that~~ if the officials of such the other state grant equivalent privileges with respect to motor fuel or special fuel used in ~~such other that~~ state but upon which the tax has been paid to Wisconsin.

SECTION 1613m. 78.79 of the statutes is amended to read:

78.79 (title) Duty of department to enforce fuel tax provisions; promulgate rules. The department shall enforce this chapter and those violations of s. 341.45 (1g) and (1m) which are reported to the department by the department of transportation and see that all violations thereof are promptly prosecuted, and that all moneys received by licensees and other persons and in their hands as trust funds and due the state are recovered and collected. The department may promulgate reasonable rules relating to the administration and enforcement of this chapter, and rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings. The department shall consult and cooperate with the department of transportation in the enforcement of s. 341.45 (1g) and (1m).

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~~SECTION 1613s. 78.80 (3) of the statutes is amended to read:~~

~~78.80 (3) Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a motor fuel, general aviation fuel or special fuel tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.~~

SECTION 1621. 79.015 (1) of the statutes, as affected by 1985 Wisconsin Act 29, is renumbered 79.015 and amended to read:

79.015 Statement of estimated payments. 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. ~~The municipality or county shall not consider the anticipated receipt of these entitlements in determining the tax rate of the municipality or county.~~

SECTION 1622. 79.015 (2) of the statutes, as created by 1985 Wisconsin Act 29, is repealed.

SECTION 1622g. 79.02 (1) of the statutes is amended to read:

79.02 (1) 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.

SECTION 1622gm. 79.02 (1) of the statutes, as affected by 1985 Wisconsin Act 29 and 1987 Wisconsin Act (this act), is repealed and recreated to read:

79.02 (1) 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 and the 3rd Monday in November.

SECTION 1622m. 79.02 (2) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

79.02 (2) (a) In this subsection, "entitlements estimated payments" means the amounts in the statement provided to the county or municipality under s. 79.015 ~~(2)~~.

(b) Payments in July shall equal 15% of the municipality's or county's entitlements estimated payments.

SECTION 1622p. 79.02 (3) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

79.02 (3) Payments to each municipality and county in November shall equal that municipality's or county's entitlements entitlement to shared revenues under ss. 79.03, 79.04 and 79.06 for the current year, minus the amount distributed to the municipality or county in July.

SECTION 1622t. 79.02 (4) of the statutes, as created by 1985 Wisconsin Act 29, is repealed.

SECTION 1624. 79.03 (3) (b) 4. (intro.) and a of the statutes are amended to read:

79.03 (3) (b) 4. (intro.) "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 under ss. 51.42 and 51.437, 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:

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, the proceeds of county sales and use taxes 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 1625. 79.03 (3) (b) 4. c to e of the statutes are amended to read:

79.03 (3) (b) 4. c. ~~“Regulation revenues” means revenue revenues from local licenses and local construction and building permits except revenues expressly excluded under this subdivision and zoning fees.~~

d. ~~“Revenue for sanitation services to private parties” means revenues collected from private parties by a county’s or municipality’s general operations or enterprises and by sewerage, sanitation or inland lake rehabilitation districts as refuse collection fees, sewerage service fees and landfill fees.~~

e. ~~“Revenues for services to private parties by a county’s or municipality’s general operation operations or enterprises” means those revenues collected from private parties for the following services provided, including but not limited to: general government services such as consisting of license publication fees, sale of publications, clerk’s fees, zoning fees and treasurer’s fees; public safety services such as copies of accident reports, consisting of police or sheriff’s department fees, fire department fees and ambulance fees and fire calls; inspection services such as, consisting of building, electrical, heat, plumbing, elevator and weights and measures; health and social services such as public health dispensary services; transportation services such as sidewalk replacement or construction fees, storm sewer construction fees, street lighting fees; parking ramps and meters, and dock and harbor fees; sanitation services such as refuse col-~~

~~lection fees, sewage fees and landfill fees; leisure activity services such as and lot fees, except that fees collected from a parking ramp or lot funded under s. 23.09 (25) (e) are excluded until the county or municipality has foregone total payments under this section and s. 79.06 in an amount equal to the funds received under s. 23.09 (25) (e) for the parking ramp or lot; library fines or fees; and museum, and zoo, golf, swimming pool and ice arena users or admission fees; conservation and development of natural resources services such as park use fees; except those services expressly excluded under this subdivision.~~

SECTION 1626. 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 entitlements received under par. (a).~~

SECTION 1627. 79.03 (3) (b) 4. h of the statutes is created to read:

79.03 (3) (b) 4. h. 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.

SECTION 1627m. 79.03 (3) (b) 6 of the statutes is amended to read:

79.03 (3) (b) 6. ~~“Standardized valuation per person” is that number, rounded to the nearest hundred, that when used in the computation under par. (a) most nearly approximates the sum of entitlements for all municipalities and all counties to the funds distributable under par. (a).~~

SECTION 1628. 79.03 (3) (b) 7 of the statutes is amended to read:

79.03 (3) (b) 7. ~~“Sum of local purpose revenues” for those municipalities and counties whose fiscal year ends in the period July 1 to December 31 means the sum of local purpose revenues for the 3 fiscal years ending 2 years prior to the year of distribution. “Sum of local purpose revenues” for municipalities and counties whose fiscal year ends in the period January 1 to June 30 means the sum of local purpose revenues for the 3 fiscal years ending one year prior to the year of distribution. For the purpose of this subdivision, local purpose revenues for any fiscal year before 1988 shall be defined according to subd. 4, 1985 stats.~~

SECTION 1629. 79.03 (4) of the statutes is amended to read:

79.03 (4) ~~In 1985, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d) is \$759,360,000. In 1986, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d) is \$779,360,000. In 1987, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d) is \$779,360,000. In 1988 and thereafter, the total amount to be distributed under this subchapter from the appropriation under s. 20.835 (1) (d) is \$791,360,000.~~

SECTION 1629b. 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually the department of administration, upon certification by the department of revenue, shall distribute to a municipality 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, the following amounts, except that no distribution shall be made for a production plant if the municipality received a distribution under sub. (3), pertaining to the same production plant:

SECTION 1629h. 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) dis-

tributions 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 1629pm. 79.08 (1) of the statutes, as created by 1985 Wisconsin Act 29, is repealed.

SECTION 1629pr. 79.08 (2) of the statutes, as affected by 1985 Wisconsin Act 29, is renumbered 79.08.

SECTION 1630. 79.10 (1) (c) of the statutes, as created by 1985 Wisconsin Act 29, is amended 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 1632. 79.10 (1) (e) of the statutes, as created by 1985 Wisconsin Act 29, is amended 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 1634. 79.10 (2) of the statutes is amended to read:

79.10 (2) NOTICE TO MUNICIPALITIES. On or before December 1 of the year preceding the distribution under sub. (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. (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.

SECTION 1635. 79.10 (3) of the statutes is repealed.

SECTION 1636. 79.10 (3m) of the statutes is repealed.

SECTION 1637. 79.10 (6) of the statutes is amended 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% is~~ \$319,305,000. 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 1638. 79.10 (7m) (a) and (b) of the statutes are repealed.

SECTION 1639. 79.10 (7m) (c) of the statutes is renumbered 79.10 (7m) and amended to read:

79.10 (7m) DISTRIBUTION TO MUNICIPALITIES. On the 4th Monday in July, commencing in 1987, the amount appropriated under s. 20.835 (3) (a) and (b) shall be distributed by the department of administration to towns, villages and cities as determined under subs. (4) and (5) and s. 79.105. The town, village or city treasurer shall settle for the amounts distributed under subs. (4) and (5) and s. 79.105 with the appropriate county treasurer on the next regular settlement date under s. 74.03 (5) or with the appropriate treasurers of each taxing jurisdiction on the next regular settlement date under s. 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~~ section subjects the town, village or city treasurer to the penalties under s. 74.22. On or before August 20, the county treasurer shall use 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 and except taxing jurisdictions settling under s. 74.031, in the county.

SECTION 1641. 79.10 (9) (a) of the statutes, as created by 1985 Wisconsin Act 29, is repealed.

SECTION 1642. 79.10 (9) (b) of the statutes, as affected by 1985 Wisconsin Act 29, is 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 ~~credits allocated distribution to be made to the municipality under sub. (7m), as stated in the December 1 notification under par. (a) from the department of revenue, except that credits shall be allocated only to those portions of the municipality that are located in the 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).~~ credits under sub. (7m), as stated in the December 1 notification under par. (a) from the department of revenue, except that credits shall be allocated only to those portions of the municipality that are located in the 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 1643. 79.10 (9) (d) to (i) of the statutes, as created by 1985 Wisconsin Act 29, are repealed.

SECTION 1644. 79.18 of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

79.18 Underpayment of credits. If the credit under s. 79.10 or under s. 79.17, 1979 stats., was understated, the treasurer shall pay ~~such~~ the taxpayer the amount of the understatement if the tax has been paid in full. If the tax has not been paid in full the clerk shall issue

an order check to the treasurer then in possession of the tax roll who shall apply such amount as payment on the taxes due. The next December 1 certification under s. 79.10 ~~(9) (a) (2)~~ or under s. 79.17 (3), 1979 stats., shall be reduced by the clerk for such payments or credits and the balance then remaining shall be distributed in accordance with s. 79.10 (9) (b) if the underpayment occurred under s. 79.10 or under s. 79.17 (3) (b), 1979 stats., if the underpayment occurred under s. 79.17, 1979 stats.

SECTION 1644m. 83.015 (2) (b) of the statutes is amended 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) (e)~~, 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 1654e. 84.01 (16) (a) of the statutes is renumbered 84.01 (16) and amended to read:

84.01 (16) NOTICE OF COUNTY TRANSPORTATION AID. Annually, not later than June 30, the department shall notify each county clerk of the estimated transportation aid to the county for the following 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 1654m. 84.01 (16) (b) of the statutes is repealed.

SECTION 1654s. 84.01 (16m) of the statutes is repealed.

SECTION 1654uc. 84.01 (18) of the statutes is repealed.

SECTION 1654ug. 84.01 (27) of the statutes is amended to read:

84.01 (27) URBAN MASS TRANSIT SYSTEMS. ~~To encourage the development, improvement and use of public mass transportation systems operating motor vehicles on highways and to encourage the use of car pool vehicles, as defined in s. 340.01 (6r), but not motorcycles, for the transportation of passengers within urbanized areas so as to increase traffic capacity, the department may, from funds available under s. 84.03 (3) and with county approval, acquire, construct, reconstruct and maintain lands and facilities~~

for the development, improvement and use of public mass transportation systems or car pool vehicles for the transportation of passengers within urbanized areas in this state. The department may encourage generally and provide, without limitation by enumeration, for the construction of exclusive or preferential bus lanes, highway control devices, bus passenger loading areas and terminal facilities, including shelters, fringe and corridor parking facilities to serve bus, car pool and other public mass transportation passengers and, with the approval of the local authority charged with the maintenance of the highway facility, preferential lanes for car pool vehicles. All moneys granted or allotted to this state as federal aid for the purposes specified in this subsection shall be expended by the department in accordance with the act of congress relating to such federal aid funds.

Vetoed in Part SECTION 1654bL. 84.01 (29) of the statutes is created to read:
84.01 (29) HIGHWAY PAINT. Upon promulgation of rules under s. 144.40 (3) (d), the department shall only use, in the volatile organic compound accommodation area, as defined in s. 144.30 (25), or furnish under s. 349.08 for use in the volatile organic compound accommodation area, highway paint which complies with the requirements of the rules.

SECTION 1654un. 84.013 (1) (a) 2. b of the statutes is amended to read:

84.013 (1) (a) 2. b. Adding one or more lanes —4— 5 miles or more in length to the existing highway.

SECTION 1654up. 84.013 (2) (a) and (b) of the statutes are amended to read:

84.013 (2) (a) Major highway projects shall be funded from the appropriations under ss. 20.395 (3) (aq), (bq) to (bx) and (gq) to (gx) and (4) (jq) and 20.866 (2) (ur) to (uu).

(b) Reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under s. 20.395 (3) (aq), (cq) to (cx) and (gq) to (gx).

SECTION 1654us. 84.013 (3) (em) of the statutes is created to read:

84.013 (3) (em) USH 45 between USH 41 and CTH "D", designated as the West Bend bypass 2nd roadway, in Washington county.

SECTION 1654uw. 84.013 (3) (vc) to (x) of the statutes are created to read:

84.013 (3) (vc) USH 8 extending easterly 6.5 miles from the junction with STH 47 in the city of Rhinelander, designated as the Rhinelander beltline, in Oneida county.

(vg) USH 18/151 extending easterly 7 miles from the east terminus of the Mt. Horeb bypass to the city of Verona in Dane county.

(vL) STH 29 between Hillcrest road and Maple avenue, designated as the Shawano bypass, in Shawano county.

(vp) STH 31 extending southerly between STH 50 and the state line in Kenosha county.

(vt) USH 45 extending 4.9 miles northerly and northwesterly between USH 45 one mile south of New London and USH 45 one mile north of New London, designated as the New London bypass, in Outagamie county.

(vx) USH 51 between USH 8 and CTH "K" in Lincoln and Oneida counties.

(w) USH 151 between Sun Prairie and that portion of USH 151 designated as the Columbus bypass, in Dane and Columbia counties.

(wg) A state trunk highway in the city of Milwaukee extending from the southerly terminus of the Daniel Webster Hoan Memorial bridge southerly approximately 3 miles on or adjacent to the Chicago and Northwestern railroad right-of-way to the intersection with East Layton avenue, designated as the Lake Arterial project, in Milwaukee county.

(wr) USH 53 extending approximately 7.4 miles between Solon Springs and Hawthorne in Douglas county.

(x) USH 18 extending easterly 7.5 miles from Manhattan drive in Waukesha county to the western Milwaukee county line.

Vetoed in Part SECTION 1654uv. 84.013 (3) (y) of the statutes is created to read:

84.013 (3) (y) STH 124 between the I 94/USH 12 interchange and an interchange or intersection with USH 53, including construction of a bridge across the Chippewa river, designated as the USH 12/North Crossing project in Eau Claire county.

SECTION 1654uw. 84.013 (4) of the statutes is renumbered 84.013 (4) (a).

Vetoed in Part SECTION 1654up. 84.013 (5), (6) and (6m) of the statutes are amended to read:

84.013 (5) Commencing with the 1985-87 biennial budget bill and biennially thereafter, the department shall request adjustments to the list of major highway projects under sub. (3) as listed projects are completed, projects are approved under sub. (6) and new projects are ready for construction. The department shall submit the proposed biennial adjustments for major highway projects to the transportation projects commission for review and recommendation as provided under s. 13.489 16.42.

(6) If following the enactment of the biennial budget bill the department determines that a highway project which was initially planned or designed as a reconditioning, reconstruction or resurfacing project is a major highway project and is ready for construction, the department shall submit the proposal for the specific project to the transportation projects commission for review and recommendation as provided under s. 13.489. After the transportation projects commission has submitted its report on the project, the department may request approval of the specific project as a major highway project from the joint committee on finance. If the joint committee on finance approves the project, the committee shall make such transfer of funds among the highway appropriations

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as deemed necessary and the department may proceed with construction.

~~(6nr) 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 department to request approval of the project as a major highway project as approved under sub. (6). 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 under this subsection which is approved as a major highway project by the transportation projects commission under this subsection, joint committee on finance without specific authorization under sub. (3).~~

SECTION 1654us. 84.013 (8) (b) of the statutes is amended to read:

84.013 (8) (b) Nothing in par. (a) prohibits expenditure of state or federal funds for maintenance or, resurfacing of, reconditioning or reconstruction which does not result in additional lanes on that portion of STH 145 specified in par. (a). No business or residence may be relocated or displaced in order to make an improvement or conduct maintenance permitted under this paragraph.

Vetoed
in Part

~~SECTION 1654vb. 84.013 (8m) of the statutes is created to read.~~

~~84.013 (8m) Notwithstanding its enumeration as a major highway project under sub. (3) (x), the department shall not proceed with construction of USH 18 between Manhattan drive in Waukesha county and the western Milwaukee county line unless the department is satisfied that an appropriate contribution to the cost of the project is provided from local funds. The department shall determine the amount of the contribution from local funds required under this subsection.~~

SECTION 1654vk. 84.03 (3) of the statutes is repealed.

Vetoed
in Part

~~SECTION 1654w. 84.06 (2) of the statutes is amended to read:~~

~~84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in the manner determined by the department. Except as provided in s. ss. 84.075 and 84.076, the contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of~~

~~bids and contracts. The department shall require each bid to specify the amount and cost of rubber recovered from waste tires, as defined under s. 84.076 (1), that the bidder intends to use in the highway improvement. The secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but ss. 16.528 and 16.754 apply to the contract. Any such contract involving an expenditure of \$1,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required by s. 779.14 (1) (b) for any such contract involving an expenditure of less than \$1,000 is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.~~

Vetoed
in Part

SECTION 1654y. 84.075 (1) of the statutes, as affected by 1983 Wisconsin Act 390, is amended to read:

84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction contracts under s. 84.06 and in contracting with private contractors and agencies under s. 84.07, the department shall attempt to ensure that 5% of the total amount expended in each fiscal year is paid to contractors, subcontractors and vendors which are minority businesses, as defined under s. 560.036 (1) ~~(em)~~ (e) 1. In attempting to meet this goal, the department may award any contract to a minority business that submits a qualified responsible bid that is no more than 5% higher than the low bid.

SECTION 1654ym. 84.076 of the statutes is created to read:

84.076 Use of recovered rubber. ~~(1)~~ In this section, "waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

Vetoed
in Part

~~(2) The department shall use or encourage the use of the maximum possible amount of rubber recovered from waste tires as surfacing material, structural material and fill for all highway improvements, as defined under s. 84.06 (1), consistent with standard engineering practices. The department shall promulgate rules specifying the proportion of recovered rubber that may be used in various types of highway improvements.~~

Vetoed
in Part

~~(3) In awarding construction contracts under s. 84.06 and in contracting with private contractors and agencies under s. 84.07, the department may award a contract to a qualified responsible bidder whose bid exceeds the lowest competent and responsible bidder by no more than 5% of the cost submitted by the lowest competent and responsible bidder, as specified under s. 84.06 (2), if the following conditions are met:~~

Vetoed
in Part

~~(a) A qualified responsible bidder intends to use rubber recovered from waste tires in the highway improvement.~~

~~(b) The cost of the rubber recovered from waste tires that the qualified responsible bidder intends to use under par. (a) is greater than or equal to the amount by which the cost of the bid of the qualified responsible bidder exceeds the bid of the lowest competent and responsible bidder.~~

~~(4) (a) The secretary shall make a written request for a waiver from a federal regulation or statute to the appropriate federal agency if sub. (3) is found to be in conflict with that federal regulation or statute under any of the following circumstances:~~

~~1. The department determines that sub. (3) is in conflict with a federal regulation or statute.~~

~~2. A federal agency determines that sub. (3) is in conflict with a federal regulation or statute.~~

~~3. A court issues a final judgment that sub. (3) is in conflict with a federal regulation or statute.~~

~~(b) The secretary shall also make a timely request to renew any waiver that the department receives under this subsection.~~

SECTION 1655. 84.185 of the statutes is created to read:

84.185 Transportation facilities economic assistance and development. (1) DEFINITIONS. In this section:

(b) "Governing body" has the meaning specified in s. 560.60 (6).

(c) "Improvement" includes construction, reconstruction and the activities, operations and processes incidental to building, fabricating or bettering a transportation facility, but not maintenance.

(ce) "Job" has the meaning specified in s. 560.60 (10).

(cg) "Major economic development project" has the meaning specified in s. 560.60 (11).

(cm) "Political subdivision" has the meaning specified in s. 560.60 (13).

(d) "Transportation facility" means any of the following:

1. A highway as defined in s. 340.01 (22).

2. An airport as defined in s. 114.002 (7).

3. A harbor improvement as defined in s. 85.095 (1) (b).

4. Rail property consisting of an industrial lead, spur, team track property or trackside intermodal transfer facility.

(2) APPROVAL OF IMPROVEMENTS. (a) The secretary may approve the improvement of a transportation facility under this section when the improvement is a component of a major economic development project, except that the secretary may not approve the improvement of a private road or driveway, as defined in s. 340.01 (46).

(b) The secretary may approve an improvement under this section only after determining all of the following:

1. Whether the improvement is a justified transportation need. An improvement qualifies as a justified transportation need only when the secretary determines that the costs of the improvement are substantially balanced by significant transportation benefits resulting from the improvement.

2. The cost of the improvement.

3. The ratio of the cost of the improvement per job created by the major economic development project.

4. The number of jobs which the improvement will cause to be retained or increased in the political subdivision.

5. The value of the contribution which the political subdivision will make in the improvement.

6. The value of the expenditures required for local infrastructure relating to the improvement.

7. The extent to which the improvement is compatible and complementary to other transportation facilities and improvements in the political subdivision.

8. The extent to which the improvement meets the criteria specified under s. 560.605 (1) (a) to (e) and (2) (a) to (d) for the awarding of grants or loans for a project, as defined in s. 560.60 (14).

~~(c) In addition to making the determinations under par. (b), the secretary shall give priority to achieving diversity in the areas of the state and the size of the political subdivisions in which improvements made under this section are located.~~

(4) RULES. The department shall promulgate rules establishing criteria for making determinations under this section.

(6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq), (iv) and (ix), upon the approval of the secretary under sub. (2), the department may improve a transportation facility under sub. (1) (d) 1 to 3 or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 4.

(7m) AGREEMENTS. The department may enter into agreements with a governing body or private source, or both, respecting the financing of an improvement under this section.

(8m) EXCEPTION. Nothing in this section prevents the improvement of a transportation facility under other applicable provisions.

SECTION 1660m. 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 ~~\$292,900,000~~ \$383,300,000 in principal amount, excluding obligations issued to refund outstanding revenue ~~obligation~~ notes obligations. Not more than ~~\$248,200,000~~ \$324,700,000 of the ~~\$292,900,000~~ \$383,300,000 may

Vetoed
in Part

be used for transportation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

SECTION 1660mb. 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 or to provide industry access to a line. 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, state property and technical assistance. 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).

Vetoed
in Part

~~SECTION 1660bm. 85.09 (5m) of the statutes is created to read:~~

~~85.09 (5m) LESSOR'S RIGHT OF ACQUISITION. If the department determines not to acquire abandoned rail property under sub. (4) and the department issues a release of its first right to acquire the property under sub. (2), then a person occupying the property under a lease, license or other permit has the right to acquire the property at a fair market value as provided in this subsection. The railroad shall send, by certified mail, a written offer to sell the property at a fair market value price to the person so occupying the property. The offer shall specify that the person to whom the offer is extended must respond to the offer in writing, by certified mail, within 60 days after receiving the offer. If the railroad and the person occupying the property disagree as to the price or other terms of the sale transaction, including the amount, description or fair market value of the property, the disagreement may be resolved by a commission of county condemnation commissioners for the county in which the property is located, in the manner specified in s. 32.05 (9) to (12), to the extent applicable. Application to a commission of county condemnation commissioners for resolution of a disagreement as to the terms of the sale transaction shall be made within 60 days after the date on which the person occupying the property sends to the railroad, by certified mail, initial response to the offer to sell. If the commission is requested to resolve a disagreement relating to the fair market value of the property, the commission shall determine the fair market value in part upon the basis of 3 independent appraisals. The railroad and the person occupying the property shall each select one appraiser and pay for his or her appraisal. The commission shall appoint a 3rd appraiser and shall divide the costs of~~

~~the 3rd appraisal equally between the railroad and the person occupying the property. The person occupying the property may withdraw the offer to purchase within 30 days of any final decision under s. 32.05 (9) to (12). A decision of a commission which is not appealed within 60 days as provided in s. 32.05 (10) is a final decision. This subsection applies to abandoned rail property for which the department has not issued a release of its first right of acquisition under sub. (2) on the effective date of this subsection [revisor inserts date].~~

Vetoed
in Part

SECTION 1660mc. 85.095 (title) of the statutes is amended to read:

85.095 (title) Harbor assistance and ferry service assistance program.

SECTION 1660mg. 85.095 (1) (am) of the statutes is created to read:

85.095 (1) (am) "Ferry service assistance" means financial assistance for the purpose of reimbursing an eligible applicant for not more than 50% of moneys expended to acquire a vessel for ferry service on any river within or forming a boundary of the state.

SECTION 1660mi. 85.095 (2) (title) of the statutes is amended to read:

85.095 (2) (title) HARBOR ASSISTANCE ADMINISTRATION.

SECTION 1660mp. 85.095 (2) (c) of the statutes is amended to read:

85.095 (2) (c) To receive and review applications for grants under this section subsection and to prescribe the form, nature and extent of the information which shall be contained in the applications.

SECTION 1660mt. 85.095 (3) (title) and (a) of the statutes are amended to read:

85.095 (3) (title) HARBOR ASSISTANCE PLANNING REQUIREMENTS. (a) Except as provided in par. (c), no grant may be made under this section sub. (2) unless the eligible applicant submits information to the department regarding harbor projects for which the eligible applicant may request state aid under this section sub. (2) or federal aid, or both, during the next 3-year period. The information shall be submitted prior to the April 1 which precedes the fiscal year in which the eligible applicant seeks aid under this section sub. (2).

SECTION 1660mx. 85.095 (4) of the statutes is created to read:

85.095 (4) FERRY SERVICE ASSISTANCE ADMINISTRATION. The department shall administer the ferry service assistance program. The department may:

(a) Establish criteria for evaluating an application for ferry service assistance and prescribe the form, nature and extent of the information which shall be contained in an application.

(b) Approve or disapprove an application for a ferry service assistance under par. (a).

(c) From the appropriation under s. 20.395 (2) (cq), make grants of ferry service assistance to eligible applicants, not to exceed, in total, \$100,000.

SECTION 1660r. 85.097 of the statutes is repealed.

SECTION 1669. 85.10 (1) and (2) of the statutes are repealed.

SECTION 1670. 85.10 (3) of the statutes is renumbered 85.10 and amended to read:

85.10 Sale of aerial photographic survey products. The department shall produce and sell to any person the selection of photographic products derived from the aerial photographic survey conducted under s. 16.965 designated for production and sale by the department of administration under s. 16.965 (2), 1985 stats. The sale price for the products shall be determined by the department of administration in accordance with s. 16.965 (2).

SECTION 1671b. 85.107 of the statutes is created to read:

85.107 Minority civil engineer scholarship and loan repayment incentive grant program. (1) **PURPOSE.** The minority civil engineer scholarship and loan repayment incentive grant program is created to assist in improving the representation of minorities among employes of the department who are classified as civil engineers.

(2) **DEFINITION.** In this section, "minority" has the meaning specified for "minority group member" under s. 560.036 (1) (f).

(3) **ADMINISTRATION.** From the appropriation under s. 20.395 (4) (aq), the department may:

(a) Award scholarships to resident minority students enrolled fulltime and registered as sophomores, juniors or seniors in a civil engineering bachelor of science program offered by an accredited institution of higher education in this state. Scholarships under this paragraph shall not exceed the following amounts:

1. For a sophomore, \$1,500.
2. For a junior, \$2,000.
3. For a senior, \$2,500.

(b) 1. Make loan repayment grants to minority civil engineers who are employed by the department and have education loans outstanding. Subject to subd. 2, loan repayment grants under this subdivision shall not exceed the following amounts:

- a. After one year of employment by the department, \$1,000.
- b. After 2 years of employment by the department, an additional \$1,200.
- c. After 3 years of employment by the department, an additional \$1,700.
- d. After 4 years of employment by the department, an additional \$2,100.

2. The total amount of loan repayment grants under this paragraph made to an employe shall not exceed the amount of the employe's education loans outstanding.

(4) **RULE MAKING.** The department shall promulgate rules to implement and administer this section.

SECTION 1671e. 85.20 (4m) (a) and (b) of the statutes are amended to read:

85.20 (4m) (a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to ~~37.5%~~ ~~39%~~ of the projected operating costs expenses of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

~~(b) Three seven and one-half thirty-nine percent of the audited operating expenses for the project year of the applicant's urban mass transit system, or~~

SECTION 1671h. 85.21 (3) (d) of the statutes is repealed.

SECTION 1671L. 85.21 (4) (a) of the statutes is amended to read:

85.21 (4) (a) The county shall ~~may~~ establish the transportation of elderly and handicapped persons to medical, nutritional and work-related activities as the priority for the specialized transportation services.

SECTION 1671r. 85.35 of the statutes is created to read:

85.35 Motor carrier projects program. The department may administer a program for the study of motor carrier operations and may participate in projects, including pilot projects in cooperation with other jurisdictions, for the evaluation of programs affecting motor carriers.

~~SECTION 1671L. 86.19 (1r) of the statutes is created to read:~~

~~86.19 (1r) The department shall place at major points of entry into the state for and along those highways which are heavily traveled by those vehicles specified in s. 346.14 (2) signs indicating that the operator of one of those vehicles must keep the vehicle he or she is operating at a distance of not less than 500 feet to the rear of the vehicle immediately preceding it, as provided in s. 346.14 (2).~~

SECTION 1672f. 86.30 (1) of the statutes is repealed and recreated to read:

86.30 (1) **DEFINITIONS.** In this section:

(b) "Mileage aids" means the amount determined under sub. (2) (a) 3.

(c) "Municipality" means a city, village or town.

(d) "Share of costs" means the amount determined under sub. (2) (a) 2. a or b.

(e) "Statewide average cost-sharing percentage" means a factor by which multiyear average costs under s. 86.303 are multiplied to fully distribute the amounts specified in sub. (9) for the purpose of determining the share of costs.

SECTION 1672g. 86.30 (2) of the statutes is repealed and recreated to read:

86.30 (2) **TRANSPORTATION AIDS DISTRIBUTION.** (a) *Amount of aids payment.* 1. The amount of transportation aids payable by the department to each county and municipality shall be the aids amount calculated

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

under subd. 2 or 3, whichever is greater, except as provided under pars. (b) and (d) and s. 86.303 (5).

2. a. The share of costs for a municipality is the amount determined by multiplying the statewide average cost-sharing percentage by the municipality's multiyear average costs under s. 86.303.

b. The share of costs for a county is the amount determined by multiplying 125% of the statewide average cost-sharing percentage by the county's multiyear average costs under s. 86.303.

3. For each mile of road or street under the jurisdiction of a county or municipality as determined under s. 86.302, the mileage aid payment shall be an amount equal to the following:

- a. In calendar year 1988, \$750.
- b. In calendar year 1989 and thereafter, \$810.

(b) *Minimum and maximum payments.* 1. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 2 may receive an increase in its annual transportation aid payment in excess of 10% of its last previous calendar year aid payment or a decrease in its annual transportation aid payment in excess of 5% of its last previous calendar year transportation aid payment. This subdivision does not apply after December 31, 1988.

Vetoed in Part 1c. Except as provided under pars. (c) and (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 2 may receive an increase in its annual transportation aid payment in excess of 10% of its last previous calendar year aid payment or a decrease in its annual transportation aid payment in excess of 5% of its last previous calendar year transportation aid payment. This subdivision applies on and after January 1, 1989.

1g. Except as provided under par. (d) and s. 86.303 (5), no municipality whose aid is determined under par. (a) 3 may receive a decrease in its annual transportation aid payment in excess of 5% of its last previous calendar year transportation aid payment.

1r. Except as provided under par. (d) and s. 86.303 (5), no county may receive either of the following:

a. An increase in its annual transportation aid payment in excess of 10% of its last previous calendar year aid payment.

Vetoed in Part b. For calendar year 1989 and thereafter, a decrease in its annual transportation aid payment in excess of 2% of its last previous calendar year transportation aid payment.

2. The last previous calendar year aid payment to a county or municipality whose aid is determined under par. (a) 3 is adjusted in proportion to changes in the mileage under the jurisdiction of the county or municipality before an adjustment under subd. 1g or 1r is made.

Vetoed in Part (c) *Shared mileage.* Except as provided under par. (d) and s. 86.303 (5):

1. For each mile of road comprising the boundary between a town whose aid is determined under par. (a)

~~2 and a city or village over which the town and the city or village share jurisdiction, if the total aid payment provided to the town divided by the jurisdictional mileage of the town is less than the total aid payment provided to the city or village divided by the jurisdictional mileage of the city or village, the town shall receive an aid payment supplement equal to the difference.~~

Vetoed in Part

~~2. For each mile of road comprising the boundary between a city or village whose aid is determined under par. (a) 2 and a town over which the city or village and the town share jurisdiction, if the total aid payment provided to the city or village divided by the jurisdictional mileage of the city or village is less than the total aid payment provided to the town divided by the jurisdictional mileage of the town, the city or village shall receive an aid payment supplement equal to the difference.~~

(d) *Aid limitation based on reported costs.* No county or municipality may be paid an amount under this section greater than 80% of its multiyear average costs under s. 86.303.

(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 adjustments are necessary, the department may adjust any of the scheduled aid payments in a 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 1672i. 86.30 (4) and (6m) of the statutes are repealed.

SECTION 1672m. 86.30 (9) of the statutes is amended to read:

86.30 (9) (title) AID CALCULATIONS FOR 1988 AND 1989. For the purpose of calculating and distributing basic aids under sub. (4) (a) (2), the amounts for basic aids are \$157,400,000 \$193,485,000 in calendar year 1986 1988 and \$164,000,000 \$205,640,000 in calendar year 1987 1989. These amounts, to the extent practicable, shall be used to determine the distribution of formula aids and hold harmless aids statewide average cost-sharing percentage in the particular calendar year.

SECTION 1672p. 86.30 (10) of the statutes is repealed.

SECTION 1672t. 86.30 (11) of the statutes is repealed.

SECTION 1674m. 86.301 of the statutes is renumbered 84.61.

SECTION 1675m. 86.302 (2) and (3) (c) of the statutes are amended to read:

86.302 (2) ~~The department shall establish uniform regulations and criteria for the classification of roads and shall disseminate such information to local units of government.~~ The department shall cooperate with and provide assistance to local units of government in their ~~functional classification and~~ jurisdictional mileage determination efforts. The department shall inventory and verify all road mileage in a county or municipality once every 5 years.

(3) (c) Islands of this state consisting of one or more towns shall receive all state aids regularly payable to towns under s. 86.30 ~~and in addition thereto shall receive such aids for.~~ For purposes of determining aids payable under s. 86.30, mileage under the jurisdiction of an island under this paragraph includes the number of miles equal to the distance between an island port and the closest mainland port where such distance is regularly traveled by a licensed ferry transporting persons, cars, trucks, buses and other mechanized equipment. Such additional aids are given for the purpose of maintenance and construction of public docks, parking areas at docks as well as approaches and ramps leading to the docks and for maintenance, clearing and marking of traveled ways over frozen waters between the islands and the mainland.

SECTION 1676m. 86.303 (1) to (3) of the statutes are repealed.

SECTION 1677m. 86.303 (4) of the statutes is amended to read:

86.303 (4) MULTIYEAR AVERAGE COSTS. The multi-year ~~cost factors~~ average costs used to determine the ~~formula share of cost aids amount for local units of governments for calendar year 1985 and thereafter government~~ shall be based on the 6 most recent years for which actual costs are available. Multiyear average costs for a newly incorporated municipality shall be based on the number of years for which cost data is available until average cost data is based on 6 years of actual costs. If no cost data is available for a newly incorporated municipality, the department may allocate costs for the municipality until actual cost data is available.

SECTION 1678m. 86.303 (5) (e) of the statutes is amended to read:

86.303 (5) (e) 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) (2) during the preceding year.

SECTION 1679m. 86.303 (5) (f) 1 and 2 of the statutes are amended to read:

86.303 (5) (f) 1. The amount of the reduction may not exceed 10% of the aids payable to the county or

municipality under s. 86.30 (4) (2) for the following year.

2. The amount of aids payable to the county or municipality under s. 86.30 (4) (2) 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) (2) during the preceding year.

SECTION 1680m. 86.303 (6) (intro.) and (d) of the statutes are amended to read:

86.303 (6) ELIGIBLE COST ITEMS. (intro.) All public road ~~or~~, street ~~or~~ alley construction and maintenance expenditures within the right-of-way are generally reportable as eligible cost items.

(d) Road ~~or~~, street ~~or~~ alley costs not eligible include costs that ~~may be~~ are financed with public funds other than road or street funds, items that are by statute, ordinance or local policy not a public expense or responsibility and all administrative costs. Costs not eligible include costs incurred on every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner and every road, alley or driveway upon the grounds of public institutions.

SECTION 1681m. 86.303 (7) (b) of the statutes is amended to read:

86.303 (7) (b) If the county or municipality fails to conduct such an audit, the aids payable during the following year shall be equal to 90% of the aids actually paid during the preceding year. If the department has reason to believe that the 90% payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (4) (2). Any underpayment or overpayment of aids resulting from financial reporting errors shall be rectified by adjusting aids paid in the following year.

SECTION 1682m. 86.304 of the statutes is repealed.

SECTION 1683m. 86.305 (title) of the statutes is repealed.

SECTION 1684m. 86.305 of the statutes is renumbered 86.302 (4) and amended to read:

86.302 (4) The incorporated status and boundaries of municipalities and changes in jurisdictional mileage responsibilities under ~~s. 86.302~~ this section shall be certified by the department by May 1 in order to be reflected in transportation aid calculations for the following calendar year.

SECTION 1685m. 86.32 (2) (b) 1 and (3) of the statutes are amended to read:

86.32 (2) (b) 1. Reimbursement for maintenance of connecting highways for calendar year ~~1985~~ 1987 shall be determined as follows: ~~\$7,460~~ \$8,210 per lane mile for municipalities having a population over 500,000; ~~\$6,910~~ \$7,610 per lane mile for municipalities having a population of 150,001 to 500,000; ~~\$6,160~~ \$6,780 per lane mile for municipalities having a population of

35,001 to 150,000; ~~\$5,420~~ \$5,970 per lane mile for municipalities having a population of 10,000 to 35,000; and ~~\$4,670~~ \$5,140 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.

(3) For calendar year ~~1986~~ 1988, the per lane mile reimbursement rate established in sub. (2) shall be increased by ~~4.9%~~ 4%. For calendar year ~~1987~~ 1989, the per lane mile reimbursement rate established in this subsection for calendar year ~~1986~~ 1988 shall be increased by ~~4.9%~~ 4.7%.

Vetoed in Part SECTION 1689m. ~~87.30 (1) (a) of the statutes is amended to read:~~

~~87.30 (1) (a) If any county, city or village or the Yahara watershed management district acting under s. 33.43 (3) (b) does not adopt a reasonable and effective floodplain zoning ordinance within one year after hydraulic and engineering data adequate to formulate the ordinance becomes available, the department shall, upon petition of an interested state agency or a municipality or upon its own motion as soon as practicable and after public hearing, determine and fix by order the limits of any or all floodplains within a county, city or village within which serious damage may occur. Thereafter the department shall as soon as practicable after public hearing adopt a floodplain zoning ordinance applicable to a county, city or village or the Yahara watershed management district, except that no floodplain zoning ordinance may be enacted unless the hydraulic and engineering studies necessary to determine the floodway or floodplain limits, or both, if both limits are deemed necessary by the department, have been made at state or federal expense. If the department utilizes hydraulic and engineering studies previously completed, the department shall be responsible for ensuring that the studies are reasonable and accurate. Thirty days notice of all hearings on floodplain determination or zoning before the department shall be given to the county, city or village clerk, the clerks of all towns where lands may be affected, the board of commissioners of the Yahara watershed management district, if applicable, and to the department of transportation. Exhibits and testimony shall be a part of the official record. Failure of a county, city or village or the Yahara watershed management district to adopt a floodplain zoning ordinance for an area where appreciable damage from floods is likely to occur or to adopt an ordinance which will result in a practical minimum of flood damage in an area shall be prima facie proof of the necessity for action specified under this paragraph by the department. The department shall make a decision in~~

~~writing of insufficiency of any county, city or village or Yahara watershed management district floodplain zoning ordinance before adopting an ordinance superseding a county, village or city such an ordinance. All orders of the department under this subsection which either fix the limits of floodplains or enact local floodplain zoning ordinances shall, when they are in final draft form and before they are issued, be referred to the appropriate committees of the legislature, where the procedure under s. 227.19 shall apply. Section 227.15 does not apply to the orders of the department under this section. Orders of the department under this section shall, after becoming effective, be deemed rules for purposes of s. 227.26, and may be suspended by the joint committee for review of administrative rules.~~

Vetoed in Part

SECTION 1692. 91.65 of the statutes is repealed.

SECTION 1692cb. 92.04 (2) (b) of the statutes is amended to read:

92.04 (2) (b) (title) *Review erosion control plans.* The board shall review soil erosion control plans prepared under s. 92.10, ~~review aid applications submitted under s. 92.14 and make recommendations to the department on approval or disapproval of the those plans or applications and on allocation of funding among the counties.~~

SECTION 1692cd. 92.04 (2) (d) of the statutes is amended to read:

92.04 (2) (d) (title) *Review plans.* The board shall review annual and long-range land conservation grant allocation plans developed under s. 92.08 92.14 (6) and make recommendations to the department on approval, modification or disapproval of the plans.

SECTION 1692cdm. 92.04 (2) (e) to (h) of the statutes are renumbered 92.04 (2) (g) to (j).

SECTION 1692ce. 92.04 (2) (e) of the statutes is created to read:

92.04 (2) (e) *Review joint evaluation plan.* The board shall review the evaluation plan prepared under s. 92.14 (13). After its review, the board shall make recommendations on the plan to the department and to the department of natural resources.

SECTION 1692cem. 92.04 (2) (f) of the statutes is created to read:

92.04 (2) (f) *Review annual reports.* The board shall review the annual reports under ss. 92.14 (12) and 144.25 (4) (o).

~~SECTION 1692cer. 92.05 (1) of the statutes is amended to read:~~

~~92.05 (1) CENTRAL AGENCY. The department is the central agency of this state responsible for setting and implementing statewide soil and water conservation policies and administering the state's soil and water conservation programs. The department shall coordinate its soil and water conservation program with the nonpoint source water pollution abatement program established under s. 144.25, the inland lake protection and rehabilitation program established under ch. 33.~~

Vetoed in Part

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in Part

~~any program established by the Yahara watershed management district and other programs with objectives related to soil and water conservation administered by the department of natural resources or by other state or federal agencies.~~

SECTION 1692cf. 92.05 (2) (c) of the statutes is repealed.

SECTION 1692dc. 92.08 of the statutes is repealed and recreated to read:

92.08 Basic workload allocation plan. (1) Every land conservation committee shall prepare annually for its county a plan which describes the soil and water resource activities to be undertaken by that county and the dollar amounts required for personnel to administer and implement activities in that county related to soil conservation activities required under ss. 92.104 and 92.105 to claim a farmland preservation credit under s. 71.09 (11) or activities required under s. 144.25 (8m) related to the development or implementation of animal waste or construction site erosion ordinances. The land conservation committee shall submit that plan to the county board of that county and to the department.

(2) The department shall review and approve, modify or disapprove any plan prepared under sub. (1).

SECTION 1692ef. 92.085 of the statutes is repealed.

SECTION 1692fc. 92.10 (title) of the statutes is amended to read:

92.10 (title) Erosion control planning program.

SECTION 1692fe. 92.10 (1) of the statutes is amended to read:

92.10 (1) CREATION. There is created an erosion control planning program. The department, board and land conservation committees in identified priority counties jointly shall develop and administer this program.

SECTION 1692fg. 92.10 (2) (intro.), (a) and (c) of the statutes are consolidated, renumbered 92.10 (2) and amended to read:

92.10 (2) PURPOSES. The purposes of the erosion control planning program are to: ~~(a) Conserve conserve~~ long-term soil productivity ~~and~~ protect the quality of related natural resources; ~~(c) Focus program resources, enhance water quality and focus on~~ severe soil erosion problems in identified priority counties; ~~and~~.

SECTION 1692fi. 92.10 (2) (b) of the statutes is repealed.

SECTION 1692fk. 92.10 (2) (d) of the statutes is repealed.

SECTION 1692fm. 92.10 (4) (b) of the statutes is repealed.

SECTION 1692fo. 92.10 (4) (c) of the statutes is amended to read:

92.10 (4) (c) *Plan assistance.* The department shall assist land conservation committees in identified priority counties in preparing soil erosion control plans.

The department may allocate funds appropriated under s. 20.115 (7) ~~(d)~~ (c) to land conservation committees in identified priority counties to cover up to 50% of the cost of preparing soil erosion control plans.

SECTION 1692fq. 92.10 (4) (e) of the statutes is repealed.

SECTION 1692fs. 92.10 (4) (f) of the statutes is repealed.

SECTION 1692fu. 92.10 (6) (d) of the statutes is amended to read:

92.10 (6) (d) *Plan submission.* A land conservation committee in an identified priority county shall submit the soil erosion control plan ~~and any request for state funding for the implementation of conservation practices included in the plan~~ to the board and department.

SECTION 1692fw. 92.10 (6) (e) of the statutes is amended to read:

92.10 (6) (e) *Plan adoption.* 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~~ planning strategy to improve soil and water resource management.

SECTION 1692fz. 92.10 (6) (f) of the statutes is repealed.

SECTION 1692gc. 92.10 (7) of the statutes is repealed.

SECTION 1692ge. 92.11 (title) and (1) of the statutes are amended to read:

92.11 (title) Regulation of local soil and water resource management practices. (1) PROPOSED ORDINANCES. To promote soil and water conservation or nonpoint source water pollution abatement, a ~~land conservation committee county, city or village~~ may develop ~~proposed county~~ ordinances for the regulation of land use ~~and~~ land management ~~and~~ pollutant management practices.

~~SECTION 1692gf. 92.12 of the statutes is amended to read:~~

~~**92.12 Intergovernmental cooperation.** Counties, cities, villages, towns and public agencies with natural resource responsibilities and the Yahara watershed management district, if applicable, in the same or different counties may cooperate in carrying out the purposes of this chapter. If a problem of soil or water conservation is defined in part by drainage basin boundaries beyond a single county's borders or otherwise transcends these borders, the respective counties, cities, villages, towns and public agencies with natural resource responsibilities and the Yahara watershed management district, if applicable, may enter into mutually binding agreements and contracts containing, but not limited to, provisions for mutually enforced and administered regulatory ordinances and cost-sharing distribution arrangements.~~

Vetoed
in Part

SECTION 1692gg. 92.14 of the statutes is repealed and recreated to read:

92.14 Soil and water resource management program.

(1) DEFINITIONS. In this section:

(a) "Best management practices" has the meaning given under s. 144.25 (2) (a).

(b) "Nonpoint source" has the meaning given under s. 144.25 (2) (b).

(c) "Priority watershed" has the meaning given under s. 144.25 (2) (c).

(2) ESTABLISHMENT. There is created a soil and water resource management program, which has all of the following purposes:

(a) Enhancing protection of surface water and groundwater resources in this state.

(c) Providing financial and technical assistance for soil and water conservation activities.

(d) Promoting cost-effective soil and water conservation activities.

(e) Promoting compliance with the requirements under ss. 92.104 and 92.105 by persons claiming a farmland preservation credit under s. 71.09 (11).

(g) Promoting and attaining the soil erosion control goals specified under s. 92.025.

(h) Encouraging innovative local strategies, regulations and incentives to address soil and source water conservation activities.

(i) Increasing local technical assistance to address soil and water resource problems.

(j) Enhancing the administration and coordination of state nonpoint source water pollution abatement activities by the department and the department of natural resources.

(3) BASIC ALLOCATIONS TO COUNTIES. To help counties meet administrative and technical operating costs in their soil and water conservation activities, the department shall award grants from the appropriation under s. 20.115 (7) (c) to any county land conservation committee which has a workload allocation plan approved by the department under s. 92.08 (2), and which, by county board action, has resolved to match any moneys granted under this subsection with an equal amount of county moneys. The county shall use the grant for county land conservation personnel to administer and implement activities directly related to any of the following:

(a) Compliance with requirements under ss. 92.104 and 92.105 by persons claiming a farmland preservation credit under s. 71.09 (11).

(b) Animal waste management activities and ordinances under s. 92.16.

(c) Soil erosion control activities in accordance with plans approved under s. 92.10 and construction site ordinances.

(d) Nonpoint source water pollution abatement activities.

(e) Other conservation activities determined by the county to be necessary for conservation and resource management in that county.

(4) OTHER SOIL AND WATER RESOURCE GRANTS. From the moneys remaining in s. 20.115 (7) (c) after the department has awarded all grants for a year under sub. (3), the department may award grants from the appropriation under s. 20.115 (7) (c) to any eligible county, including any county which has received a grant under sub. (3), for one or more of the following:

(a) Implementing soil and water resource management projects to manage animal waste and conserve soil approved in plans under s. 92.10 and under s. 92.15, 1985 stats.

(b) Implementing soil and water resource management projects undertaken to comply with the requirements under ss. 92.104 and 92.105 by persons claiming a farmland preservation credit under s. 71.09 (11).

(c) Construction of a facility or system related to animal waste management by a farmer who has received a notice of discharge under ch. 147.

(6) ADMINISTRATION OF GRANTS. (a) The department shall establish a priority list of funding needs for soil and water resource management activities under this section.

(b) The department, in cooperation with the department of natural resources, shall prepare an annual grant allocation plan identifying the amounts to be spent annually for the categories of soil and water resource management projects to be funded under this section and the general purposes of those projects, which it shall specify. The department shall submit that plan to the board.

(c) In developing the allocation plan for projects under par. (b), the department, in cooperation with the department of natural resources, may consider any of the following factors:

1. Cost-effectiveness of an activity, including but not limited to technical assistance, educational assistance, management practices, and satisfying the requirements under ss. 92.104 and 92.105 for claiming farmland preservation credits under s. 71.09 (11).

2. The amount of soil erosion reduction proposed to be effected by the activity.

3. Severity of the water quality problem addressed by an activity.

4. The comprehensiveness of an activity's planning methods and the area affected by an activity.

5. The degree of cooperation and commitment and the amount of supplemental funds from other sources contributed by counties related to an activity.

6. The need for staff and project continuity.

(d) The board shall review the annual allocation plan submitted to it under par. (b) and make recommendations to the department on approval, modification or disapproval of the plan. The department shall review and approve or disapprove the plan and shall

notify the board of the department's final action on the plan.

(e) The department shall make grant awards under this section to eligible applicants which are consistent with the allocation plan approved by the department under par. (d).

(f) The department shall provide summaries of projects awarded grants under par. (e) to the board for its review.

(g) Every project awarded a grant under this section shall be consistent with the plans under this section and ss. 92.08, 92.10, 92.15, 1985 stats., and 144.25.

(h) 1. The department may not make a grant under this section for the construction of any facility or system related to animal waste management unless all of the following conditions are met:

a. The facility or system is necessary to meet surface water or groundwater quality objectives.

b. The facility or system is designed consistent with rules of the department and with the technical standards of the county and is designed to be constructed and operated to avoid water pollution.

c. The facility or system will use the most cost-effective method to meet water quality standards.

d. The grant for the facility or system, combined with all other governmental funding, is no more than \$10,000, except that there is no limit on the amount of the grant if the principal purpose of the facility or system is to prevent or control barnyard runoff.

e. The amount of the grant does not exceed 70% of the cost of the facility or structure.

2. The department may make payments under this section for the construction of a facility or system related to animal waste management directly to farmers who receive a notice of discharge related to animal waste under ch. 147.

3. Nothing in this paragraph affects the authority of the department of natural resources to act under ch. 147.

(i) No cost-sharing funds from any grant awarded under this section may be distributed to a landowner or land user unless he or she, by contract with the grant recipient, agrees to do all of the following:

1. Maintain any funded practice for its normal expected life, replace it with an equally effective practice or improvement or repay the cost-sharing funds to the grant recipient.

2. Conduct all land management and pollutant management activities in substantial accordance with plans approved under ss. 92.08, 92.10, 92.14, 92.15, 1985 stats., and 144.25, or to repay the cost-sharing funds to the grant recipient.

3. Repay to the grant recipient the cost-sharing funds if title to the land on which the cost-shared practice is installed is transferred, unless the subsequent landowner or land user agrees to comply with the requirements of the plans approved under ss. 92.08, 92.10, 92.14, 92.15, 1985 stats., and 144.25.

(j) A grant awarded under this section may be used for technical assistance, educational and training assistance, ordinance development and administration, cost-sharing for management practices and capital improvements, plan preparation under s. 92.10 (4) (c), easements or other activities determined by the department to satisfy the requirements of this chapter.

(7) MAINTENANCE OF EFFORT. The department may not make a grant to a county under this section in any fiscal year unless that county enters into an agreement with the department to maintain or increase its aggregate expenditures from other sources for soil and water conservation activities at or above the average level of such expenditures in its 2 fiscal years preceding the effective date of this subsection [revisor inserts date].

(8) RULES. In consultation with the department of natural resources, the department shall promulgate rules to administer this section and the department's duties under s. 144.25.

(10) TRAINING. The department shall identify, in cooperation with the department of natural resources, the training required for the personnel of a county awarded a grant under this section or s. 144.25 to administer and implement any nonpoint source water pollution abatement project or soil and water resource project funded by that grant and shall coordinate such a training program. The county may use the grant for that training or for any other training necessary to prepare personnel to perform job duties related to this section. The department may contract with any person from the appropriation under s. 20.115 (7) (c) for services to administer or implement this chapter, including information and education and training.

(11) AID TO STATE AGENCIES. The department may distribute grants and aids to any state agency, including itself, for implementation of the soil and water resource management program on land under state ownership or control, subject to this chapter.

(12) ANNUAL REPORT. Annually, the department, in cooperation with the department of natural resources, shall submit a report on the progress of the program under this section and s. 144.25 to the board.

(13) EVALUATION PLAN. The department, jointly with the department of natural resources, shall prepare a plan, which includes water quality monitoring and analysis, for evaluating the program administered under this section and s. 144.25 and submit the plan to the board. The board shall make recommendations to the department and the department of natural resources on the plan. The department shall review and approve or disapprove the plan and shall notify the board of its final action on the plan. The department shall implement any part of the plan for which the plan gives it responsibility.

(14) APPLICATION, REPORTING AND EVALUATION FORMS. The department, jointly with the department of natural resources, shall develop a single set of grant application, reporting and evaluation forms for use by

counties receiving grants under this section and s. 144.25.

(15) **FINANCIAL INFORMATION.** The department shall consult with the department of natural resources when it prepares the information which it submits to the department of administration under s. 16.42.

SECTION 1692hc. 92.15 of the statutes is repealed.

SECTION 1692hm. 92.16 of the statutes is amended to read:

92.16 (title) Manure storage facilities. A county, city or village may adopt an ordinance requiring all ~~earthen~~ manure storage facilities constructed after July 2, 1983, to meet the technical standards of the county, city or village and rules of the department. The department shall adopt rules for ordinances setting standards and criteria for construction of earthen manure storage facilities.

SECTION 1692m. 93.07 (20) of the statutes is created to read:

93.07 (20) GIFTS AND GRANTS REPORTING. To report, no later than August 1 of each year, all of the following to the joint committee on finance and the appropriate standing committee on agriculture of each house of the legislature, as determined by the presiding officer of each house:

(a) The source, purpose, nature and value of each gift or grant which the department received in the preceding fiscal year.

(b) Any state costs which are associated with the acceptance of each gift or grant which the department received in the preceding fiscal year and which exist or are anticipated on the date the report is issued.

(c) Any potential conflict of interest of the department which may result from the department's acceptance of any gift or grant received in the preceding fiscal year.

SECTION 1692p. 93.32 of the statutes is created to read:

93.32 Farm congress. (1) The farm congress shall conduct a statewide meeting annually at some time in the period from January to March and may meet at any other time. The department shall provide staffing and organizational assistance to the farm congress.

(2) Every county shall meet annually not more than 30 days before the annual farm congress meeting under sub. (1) and shall select 3 delegates to represent the county in that meeting and 2 alternate delegates. The conduct of the meeting shall conform to the bylaws adopted under sub. (3). In its meeting under this subsection, the county shall instruct its delegates on issues which are under the jurisdiction of the board of agriculture, trade and consumer protection and which are of interest to agriculture in that county. Every delegate shall have filed a farm income and expenses schedule as part of his or her most recent federal income tax return, shall be actively engaged in farming and shall live on the farm for which he or she filed that schedule. Every delegate shall be the resi-

dent of a town in the county which is different than the town in which any other delegate resides. The department and the county cooperative extension agent shall assist counties in organizing and conducting the meeting under this subsection.

(3) The farm congress shall adopt bylaws governing its operation and the conduct of county meetings under sub. (2). The bylaws shall provide an opportunity to any segment of the private sector which may be affected by any issue before the farm congress to express its position on that issue prior to final action on the issue by the farm congress.

(4) The farm congress shall appoint an executive committee, a rules committee and a legislative committee and may appoint any other committee it deems necessary. The executive committee shall have at least 20 members representing not less than 15 counties.

(5) The farm congress shall submit to the board of agriculture, trade and consumer protection and to the secretary a copy of any report which it issues. The secretary shall submit a copy of that report to the standing committees of the senate and assembly concerned with agriculture.

SECTION 1692pr. 93.41 of the statutes is created to read:

93.41 Stray voltage. The department shall establish a program to educate farmers, veterinarians, electricians and agents of the agricultural extension division of the university of Wisconsin system on stray voltage. Under the program, the department shall establish a toll-free telephone line to exchange information on stray voltage, maintain a library on stray voltage and serve as a clearinghouse on stray voltage issues and shall determine the need for additional regulation and education related to stray voltage.

SECTION 1693ag. 93.50 of the statutes is repealed.

SECTION 1693am. 94.67 (4) of the statutes is amended to read:

94.67 (4) "Certified applicator" means a person private applicator certified by the department to use restricted-use pesticides or a commercial applicator certified by the department to use or supervise the use or direct the use of restricted-use pesticides as a private or commercial applicator under s. 94.705.

SECTION 1693ao. 94.67 (5) of the statutes is renumbered 94.67 (6) (intro.) and amended to read:

94.67 (6) (intro.) "Certified commercial "Commercial applicator" means a person, whether or not a certified private applicator with respect to some uses, certified to use or supervise who uses or directs the use of restricted-use pesticides any pesticide, either directly or through an employe, for any purpose or on any property other than as a certified private applicator. "Commercial applicator" does not include:

SECTION 1693aq. 94.67 (5) of the statutes is created to read:

94.67 (5) "Commercial application business" means a corporation, cooperative association, part-

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nership, natural person doing business as a sole proprietor or other nongovernmental business entity that does either of the following:

(a) Operates as a commercial applicator for hire.

(b) Uses or directs the use of a restricted-use pesticide as a commercial applicator, either directly or through an employe.

SECTION 1693as. 94.67 (6) and (7) of the statutes are renumbered 94.67 (26m) and (3m), respectively, and amended to read:

94.67 (3m) ~~“Commercial business~~ “Business location” means any place ~~where a certified commercial applicator from which a commercial application business operates from~~ on a regular basis as a commercial applicator for hire.

(26m) ~~“Certified private~~ “Private applicator” means a person ~~certified to use or supervise who uses or directs the use of restricted-use pesticides for purposes any pesticide for the purpose of producing any agricultural commodity on property owned or rented by the person or the person’s employer, or on property of another person if the pesticide is used without compensation other than the trading of goods or services between producers of agricultural commodities on an exchange basis.~~

SECTION 1693au. 94.67 (6) (a) and (b) of the statutes are created to read:

94.67 (6) (a) A person who applies a pesticide, other than a restricted-use pesticide, solely for household purposes in and around the person’s residence.

(b) A person who contracts with a commercial applicator for hire to apply a pesticide for the person, if the person does not otherwise use or direct the use of a pesticide as a commercial applicator.

SECTION 1693az. 94.67 (7) of the statutes is created to read:

94.67 (7) “Commercial applicator for hire” means a commercial applicator who uses or directs the use of a pesticide as an independent contractor for hire, either directly or through an employe. “Commercial applicator for hire” does not include a provider of janitorial, cleaning or sanitizing services if the provider of the services uses no pesticides other than sanitizers, disinfectants and germicides.

SECTION 1693bc. 94.67 (10m) of the statutes is created to read:

94.67 (10m) “Directs the use” means to select a pesticide for use by another person or to instruct or control the application of a pesticide by another person and to be available if and when needed during that application. “Directs the use” may, but does not necessarily, mean to be physically present at the time and place a pesticide is being applied.

SECTION 1693bm. 94.67 (15) of the statutes is repealed.

SECTION 1693bo. 94.67 (15m), (21m) and (25m) of the statutes are created to read:

94.67 (15m) “Individual commercial applicator” means a natural person who does any of the following:

(a) Personally uses or directs the use of any pesticide as a commercial applicator for hire, or as an employe of a commercial applicator for hire. This paragraph does not apply to a person performing janitorial, cleaning or sanitizing services if the person uses no pesticides other than sanitizers, disinfectants and germicides.

(b) Personally uses a restricted-use pesticide as a commercial applicator.

(c) Directs the use of a pesticide by a person specified under par. (a) or (b).

(21m) “Licensee” means a person required to obtain a license under s. 94.68, 94.685, 94.703 or 94.704.

(25m) “Pesticide product” means a pesticide, all of the containers in commerce of which are labeled with a unique combination of all of the following:

(a) The brand name.

(b) The pesticide registration number assigned to the pesticide under the federal act.

(c) The name of the pesticide labeler.

SECTION 1693bp. 94.67 (32) of the statutes is repealed.

SECTION 1693bq. 94.68 (2) of the statutes is amended to read:

94.68 (2) ~~Applications~~ An application for a license issued under this section shall be made on forms a form prescribed by the department and shall be accompanied by ~~an annual~~ the license fee of \$100. ~~Licenses expire fees required under sub. (3).~~ The license expires on December 31 of each year and ~~are~~ is not transferable.

SECTION 1693bs. 94.68 (3) and (4) of the statutes are renumbered 94.68 (5) and (6).

SECTION 1693bu. 94.68 (3), (4) and (7) of the statutes are created to read:

94.68 (3) (a) The basic annual fee for a license under this section is \$100. If more than one pesticide product of a licensee is sold or distributed in this state during a license year, the licensee shall pay for that year a supplementary license fee of \$150 for each additional pesticide product of the licensee which is sold or distributed in this state.

(b) To permit verification of the required license fees under this subsection, every licensee shall submit a report to the department at the time of license application listing every pesticide product of the licensee which is sold or distributed in this state. If a pesticide product of a licensee is not listed by the licensee at the time of license application, the licensee shall file a supplementary report with the department at least 15 days prior to any proposed sale or distribution of that pesticide product in this state. The supplementary report shall identify the pesticide product to be sold or distributed, and be accompanied by the supplementary license fee required under par. (a).

(c) A licensee who fails to report a pesticide product sold or distributed in this state under par. (b) shall pay a surcharge of \$100 for each such pesticide product. The surcharge is in addition to the license fees required under par. (a). Failure to report a pesticide product may constitute grounds for the denial, suspension or revocation of a license under this section, and may be punished as provided in s. 94.71.

(d) No fee paid for a license under this section is transferable or refundable after that license has been issued.

(4) (a) The department shall deposit the following amounts in the appropriation under s. 20.115 (1) (i):

1. An amount equal to one-third of the supplementary license fees received under sub. (3) (a).

2. All of the surcharges received under sub. (3) (c).

(b) The department shall deposit the following amounts in the groundwater fund under s. 25.48 (2):

1. All of the basic license fees received under sub. (3) (a).

2. An amount equal to one-third of the supplementary license fees received under sub. (3) (a).

(c) The department shall deposit an amount equal to one-third of the supplementary license fees received under sub. (3) (a) in the environmental repair fund under s. 25.46.

(7) A license under this section does not constitute a registration of individual pesticide products within the meaning of the federal act, nor does it authorize any pesticide sale or distribution otherwise prohibited by law.

SECTION 1693bz. 94.681 of the statutes is repealed.

SECTION 1693cm. 94.685 of the statutes is created to read:

94.685 Pesticides; licensing of dealers and distributors of restricted-use pesticides. (1) No dealer or distributor may sell or offer to sell chlordane or a restricted-use pesticide in this state, whether or not the sale is made wholly or partially in this state or another state, without a license issued by the department under this section. The licenses expire on December 31 of even-numbered years and are not transferable.

(2) An application for a license under this section shall be made on a form provided by the department, and shall be accompanied by the license fee required under sub. (3). Each license application shall include the full name of the licensee and the mailing address and street address of each location from which chlordane or restricted-use pesticides are sold by the licensee.

(3) (a) Except as provided under par. (b), a licensee shall pay a license fee of \$100 per license period for each location from which the licensee sells chlordane or restricted-use pesticides, including any new location opened during the license period. A licensee who opens a new sales location during the license period may not sell any chlordane or a restricted-use pesti-

cide from the new location unless the licensee has paid the license fee for that new sales' location.

(b) If a license issued under this section is issued during the 2nd year of the 2-year period for which the license is applicable, the licensee shall pay a license fee of \$50 for each location from which the licensee sells chlordane or restricted-use pesticides. A licensee shall pay a license fee of \$50 for each new location opened during the 2nd year of the 2-year period for which the license is applicable.

SECTION 1693co. 94.70 (3) (e) of the statutes is amended to read:

94.70 (3) (e) Claim falsely to be a certified ~~private or commercial~~ applicator in one or more uses of ~~restricted-use pesticides~~ any pesticide.

SECTION 1693cp. 94.70 (3) (f) of the statutes is amended to read:

94.70 (3) (f) Use or ~~supervise~~ direct the use of ~~restricted-use~~ pesticides as a certified applicator in categories of pesticide use and application for which no certification has been obtained.

~~SECTION 1693cq. 94.70 (4) of the statutes is created to read:~~

~~94.70 (4) Nothing in ss. 94.67 to 94.71 limits the civil or criminal liability of an employer or contractor for the acts or omissions of an employe or subcontractor, if the employer or contractor may otherwise be held liable.~~

SECTION 1693cs. 94.703 of the statutes is created to read:

94.703 Pesticides; licensing of commercial application businesses. (1) No commercial application business may operate in this state without a license issued by the department under this section. A natural person who operates a commercial application business as sole proprietor, and who is also an individual commercial applicator, shall be licensed under this section and s. 94.704. Licenses issued under this section expire on December 31 of each odd-numbered year and are not transferable.

(2) An application for a license under this section shall be submitted on a form provided by the department and shall be accompanied by the license fee required under sub. (3). The license application shall include all of the following information, which shall be promptly updated by the licensee in the event of any change during the license period:

(a) The complete name, mailing address and street address of the licensee, and the business name, if any, under which the licensee operates as a commercial application business. The application shall specify whether the applicant is a natural person, corporation or other legal entity.

(b) The street address of every business location from which the licensee operates as a commercial applicator for hire in this state.

(c) If the licensee employs any person to use pesticides, or to direct the use of restricted-use pesticides,

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the complete name and license number under s. 94.704 of each person so employed.

(d) Any other information reasonably required by the department for the administration of this section.

(3) (a) Except as provided under par. (b):

1. A licensee under this section shall pay a basic license fee of \$100 for each license period.

2. If a licensee operates in this state from more than one business location, the licensee shall pay a supplementary fee of \$100 for each additional business location operated by the licensee.

3. For each new business location added during the license period the licensee shall pay a supplementary fee of \$100.

(b) If a license issued under this section is issued during the 2nd year of the 2-year period for which the license is applicable:

1. The basic fee for that license is \$50.

2. For each additional business location operated by the licensee, the supplementary fee is \$50.

3. For each new business location added during the license period, the supplementary fee is \$50.

(4) No commercial application business may apply any pesticide, or direct the application of any pesticide by its employe, unless the pesticide application is made by an individual commercial applicator licensed under s. 94.704 and certified under s. 94.705 in the applicable pesticide use category.

(5) No licensee under this section may employ any natural person as an individual commercial applicator unless the employe is licensed under s. 94.704.

SECTION 1693cu. 94.704 of the statutes is created to read:

94.704 Pesticides; licensing of individual commercial applicators. (1) No person may act as an individual commercial applicator without a license issued by the department under this section. The licenses expire on December 31 of each odd-numbered year and are not transferable. A licensee shall carry the license on his or her person at all times when acting as an individual commercial applicator. No license is required of a private applicator who applies pesticides solely as a private applicator or only on an occasional or incidental basis as a commercial applicator.

(2) An application for a license under this section shall be submitted on a form provided by the department and shall be accompanied by the license fee required under sub. (3). A license application shall include all of the following information, which shall be promptly updated by the licensee in the event of any change during the license period:

(a) The complete name, mailing address and street address of the licensee.

(b) If the licensee is engaged in business as a sole proprietor, the licensee's business name and address if different than the licensee's personal name and address.

(c) If the licensee is employed by a commercial application business, the name and address of the employing commercial application business.

(d) Any other information reasonably required by the department for the administration of this section.

(3) A licensee under this section shall pay a license fee of \$50 for each license period, except that if a license is issued during the 2nd year of the 2-year period for which the license is applicable, the licensee shall pay a license fee of \$25. No license fee is required of:

(a) A sole proprietor of a commercial application business licensed under s. 94.703.

(b) A government employe or an employe of a public or private educational institution if the employe's activities as an individual commercial applicator fall within the scope of his or her employment by the governmental unit or educational institution.

(4) No licensee under this section may use or direct the use of any pesticide unless the licensee is certified under s. 94.705 in the applicable use category.

SECTION 1693cz. 94.705 (1) (a) of the statutes is repealed and recreated to read:

94.705 (1) (a) 1. No person may use or direct the use of a restricted-use pesticide as a private applicator unless the person is certified as a private applicator in the applicable pesticide use category under this section.

2. No person may use or direct the use of any pesticide as a commercial applicator unless the person is all of the following:

a. Certified as a commercial applicator in the applicable pesticide use category under this section.

b. Licensed as an individual commercial applicator under s. 94.704. This subd. 2. b does not apply to a private applicator who uses or directs the use of a pesticide as a commercial applicator on an occasional or incidental basis only.

SECTION 1693dg. 94.705 (1) (b) of the statutes is amended to read:

94.705 (1) (b) Applications for certification shall be submitted on forms prescribed by the department and shall specify the category of pesticide use and application for which application for certification is made. Certifications shall be valid for a period of 5 years from date of issuance or renewal, unless terminated or suspended by the department for failure to comply with the terms and conditions of its issuance or for violation of ss. 94.67 to 94.71 or rules or orders issued under ss. 94.67 to 94.71. Certifications may be changed or amended during the 5-year period for which issued by the addition of other categories of pesticide use and application for which the applicator was not certified at the beginning of the certification period, but all the changes or amendments shall expire concurrently with the end of the 5-year base certification period.

SECTION 1693dm. 94.705 (1) (c) of the statutes is amended to read:

94.705 (1) (c) ~~All certified applicators may be granted an additional 5 years of certification upon the expiration date of their original certification. If significant changes have occurred in the development of new pesticides, uses or labeling during this time period the department may require that a~~ A certified private applicator obtain certification may be granted an additional 5 years of certification upon the expiration of his or her certification, under one of the certification options under s. 94.706 as a condition of recertification. If significant changes have occurred in the development of new pesticides, uses or labeling during this time period, sub. (5). A certified commercial applicator may be granted an additional 5 years of certification upon the expiration of his or her certification, subject to a written examination approved by the department as a condition of recertification.

SECTION 1693do. 94.705 (1) (d) of the statutes is repealed and recreated to read:

94.705 (1) (d) Except as provided under sub. (4), no commercial applicator may be certified except upon satisfactory completion of a written examination. The examination shall be designed to test the applicant's competency in each category of pesticide use for which the applicant seeks certification. A commercial applicator applying for certification shall pay an examination fee of \$10 for each examination in each certification category. If an applicant fails an examination in any certification category, the applicant shall pay a fee of \$5 each time the examination is retaken. The department may not administer an examination under this paragraph unless the applicant has paid the required fee. Any person exempt from license fees under s. 94.704 (3) (b) is also exempt from examination fees under this paragraph.

SECTION 1693dq. 94.705 (2) of the statutes is amended to read:

94.705 (2) CERTIFICATION STANDARDS. Notwithstanding s. 140.77, the department shall, by rule, adopt standards for the training and certification of ~~certified~~ private and ~~certified~~ commercial applicators, at least equal to but not to exceed federal standards adopted under the federal act. In the adoption of the standards, separate categories of pesticide use and application may be established for certification purposes depending on the specific types of pesticides used, the purposes for which they are used, types of equipment required in their application, the degree of knowledge and skill required and other factors which may warrant the creation of different categories. The standards shall provide that individuals to be certified must be competent with respect to the use and application of pesticides in the various categories of pesticide use and application for which certification is desired. For commercial applicators, competence in the use and handling of pesticides ~~is to~~ shall be determined on the basis of written examinations.

SECTION 1693dr. 94.705 (3) of the statutes is amended to read:

94.705 (3) RECORDS; REPORTS. Certified commercial applicators, including nonresident commercial applicators, shall maintain records of amounts, dates, types, places and uses of all ~~restricted-use~~ pesticides as prescribed by the department. Records shall be kept for 2 years and shall be open to and available for inspection at all reasonable times by the department or cooperating governmental enforcement agencies.

SECTION 1693ds. 94.705 (4) of the statutes is repealed and recreated to read:

94.705 (4) CERTIFICATION OF NONRESIDENTS. (a) The department may, without examination or training in this state, certify a nonresident to use or direct the use of pesticides in a specific pesticide use category if the nonresident meets all of the following requirements:

1. The person is certified to use pesticides, in the same or similar pesticide use category, under laws or programs in the person's state of residence which have requirements for certification equivalent to this section and ss. 94.703 and 94.704 and the rules under this section and ss. 94.703 and 94.704. In order to be certified without examination as a commercial applicator in this state, the person must be certified as a commercial applicator in the person's state of residence.

2. The person's license or certification in the state of residence has not been denied, suspended or revoked under the federal act or by the state of residence.

(b) An application for nonresident certification under par. (a) shall be made on a form provided by the department. The department may require an applicant to submit any information that is reasonably necessary for the administration of this subsection. An application under this subsection shall be accompanied by a nonrefundable fee of \$25, except that no fee is required for the certification of a nonresident as a private applicator.

(c) A certification issued under this subsection expires on December 31 of the year of issuance and is not transferable. If the holder of a nonresident certification becomes a resident of this state, the nonresident certification may not be renewed after its expiration date.

SECTION 1693du. 94.706 (title) of the statutes is repealed.

SECTION 1693dz. 94.706 (1) of the statutes is renumbered 94.705 (5), and 94.705 (5) (intro.), as renumbered, is amended to read:

94.705 (5) PRIVATE APPLICATORS. (intro.) ~~Resident~~ The department shall certify resident private applicators shall be certified to use restricted-use pesticides under one of the options specified under pars. (a) to (d) in any of the following ways, as it deems appropriate:

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~~SECTION 1693ed. 97.01 (16) of the statutes is amended to read:~~

~~97.01 (16) "Whey cream" means that portion of whey rich in milk fat which is separated from whey by centrifugal force, is fresh and clean, and contains not less than ~~42%~~ 30% of milk fat.~~

SECTION 1693eg. 97.17 (4) of the statutes is amended to read:

97.17 (4) Each application for a license shall be accompanied by a fee of ~~\$20~~ \$30 payable to the department and no license may be issued until the fee is paid. In case license is refused, the fee shall be returned by the department to the applicant with notification of refusal.

SECTION 1693em. 97.175 (2) of the statutes is amended to read:

97.175 (2) No person may act as a butter grader or a cheese grader without a license granted by the department. A person desiring a license shall apply on a form furnished by the department and shall pay to the department a fee of ~~\$25~~ \$30. Prior to issuing a license, the department shall require the applicant to demonstrate his or her competence to act as a butter grader or a cheese grader in a manner determined by the department. A license expires on September 30 of the 2nd year commencing after the date of issuance.

SECTION 1693eo. 97.20 (1) (a) of the statutes is amended to read:

97.20 (1) (a) "Dairy plant" means any premises where a dairy product is manufactured or processed for commercial purposes and shall include a receiving or transfer station, ~~and a grade A dairy plant.~~

SECTION 1693er. 97.22 (2) of the statutes is amended to read:

97.22 (2) No person shall engage as a grade A milk distributor without a license therefor from the department. Such license shall expire annually on July 31. The license fee shall be ~~\$50~~ \$70, which shall accompany each application for license and shall be retained whether or not a license is issued. No license ~~shall be~~ is transferable. If the department conducts a reinspection of any facility used by a person licensed under this section due to any violation of any state or federal law which the department determines in a regularly scheduled inspection of that facility, the department shall charge the holder of that license \$35 for that reinspection.

SECTION 1693fg. 97.24 (title) of the statutes is amended to read:

97.24 (title) Milk and milk products.

SECTION 1693fi. 97.24 (1) (intro.) of the statutes is amended to read:

97.24 (1) DEFINITIONS. (intro.) ~~The following definitions shall apply to the interpretation and enforcement of In~~ this section:

SECTION 1693fk. 97.24 (1) (a) of the statutes is renumbered 97.24 (1) (am) and amended to read:

97.24 (1) (am) ~~Dairy plant is a grade A dairy plant as defined "Dairy plant" has the meaning given in s. 97.20 (1) (e) (a).~~

SECTION 1693fm. 97.24 (1) (a) of the statutes is created to read:

97.24 (1) (a) "Dairy farm" means any place where one or more cows or goats are kept for the production of milk.

SECTION 1693fo. 97.24 (1) (ar) of the statutes is created to read:

97.24 (1) (ar) "Fluid milk product" means cream, sour cream, half and half, whipped cream, concentrated milk, concentrated milk products, skim milk, flavored milk, buttermilk, cultured buttermilk, cultured milk, vitamin and mineral fortified milk or milk products, and any other product made by adding any substance to milk or any of these products.

SECTION 1693fq. 97.24 (1) (b) of the statutes is amended to read:

97.24 (1) (b) ~~Grade A milk is "Grade A milk" means milk which is produced, processed and distributed as required by this section and the rules issued thereunder. It shall be interpreted to include goat milk in compliance with grade A standards established by the department by rule under this chapter.~~

SECTION 1693fs. 97.24 (1) (c) of the statutes is repealed and recreated to read:

97.24 (1) (c) "Grade A milk product" means a fluid milk product which is produced, processed and distributed in compliance with grade A standards established by the department by rule under this chapter.

SECTION 1693fu. 97.24 (1) (cm) of the statutes is created to read:

97.24 (1) (cm) "Milk" means the lacteal secretion of cows or goats, and includes skim milk and cream.

SECTION 1693fw. 97.24 (1) (d) of the statutes is amended to read:

97.24 (1) (d) ~~Milk distributor is "Milk distributor" means~~ a grade A milk distributor as defined in s. 97.22.

SECTION 1693fz. 97.24 (1) (e) of the statutes is amended to read:

97.24 (1) (e) ~~Milk hauler is "Milk hauler" means~~ any person, other than a milk producer hauling his or her own milk only, who transports ~~grade A milk or grade A fluid milk products~~ to or from a dairy plant or a collecting point.

SECTION 1693gg. 97.24 (1) (f) of the statutes is amended to read:

97.24 (1) (f) ~~Milk producer is "Milk producer" means~~ any person who owns or controls ~~one or more cows, a part or all of the milk or milk products from which is sold as grade A milk or grade A milk products~~ operates a dairy farm, and sells or distributes milk produced on that dairy farm.

SECTION 1693gi. 97.24 (2) of the statutes is repealed and recreated to read:

97.24 (2) REQUIREMENTS FOR MILK AND FLUID MILK PRODUCTS; GRADE A REQUIREMENT. (a) No person may sell or distribute any milk unless that milk is produced, processed and distributed in compliance with standards established by the department by rule under this chapter.

(b) No person may sell or distribute any milk or fluid milk products which are not grade A milk or grade A milk products to consumers, or to any restaurant, institution or retailer for consumption or resale to consumers. Grade A milk and grade A milk products shall be effectively pasteurized, and shall be produced, processed and distributed in compliance with standards established by the department by rule under this chapter.

(c) No person may sell or distribute milk or fluid milk products which are labeled or otherwise represented as grade A milk or grade A milk products unless the milk and fluid milk products comply with this chapter and with standards established by the department by rule under this chapter.

(d) This section does not prohibit:

1. The sale of milk or fluid milk products which are heat sterilized in hermetically sealed containers.
2. Incidental sales of milk directly to consumers at the dairy farm where the milk is produced.
3. Incidental sales of pasteurized milk at a dairy plant licensed under s. 97.20.
4. The sale of grade A milk or grade A milk products which are produced and processed under equivalent laws or rules of another state or a local governmental unit, as provided under sub. (6) (b).

SECTION 1693gk. 97.24 (3) of the statutes is amended to read:

97.24 (3) PERMITS. Every milk producer and milk hauler shall secure a ~~grade A~~ permit from the department unless he or she is the holder of a valid "Grade A permit" issued by a governmental unit ~~referred to in~~ under sub. (6). Only a person who complies with the requirements of this section and the rules ~~issued~~ promulgated thereunder ~~shall be entitled to~~ may receive and retain such a permit. ~~Applications~~ An application for a permit under this subsection shall be on a form prescribed and furnished by the department. ~~A~~ The department shall require a separate milk producer permit ~~shall be required~~ for each dairy farm location. ~~Permits shall~~ A permit under this subsection ~~is not be~~ transferable with respect to persons or locations. Dairy plants and milk distributors shall secure license authority under ss. 97.20 and 97.22, respectively.

SECTION 1693gm. 97.24 (4) of the statutes is amended to read:

97.24 (4) RULES. The department, in consultation with the department of health and social services, shall issue rules governing the production, transportation, processing, pasteurization, handling, identity, sampling, examination, labeling and sale of ~~grade A~~ milk

and ~~grade A~~ fluid milk products; the inspection of dairy herds, dairy farms and dairy plants; the issuing and revocation of permits to milk producers and milk haulers, and of licenses to dairy plants and milk distributors. Insofar as permitted by the laws of this state, such rules shall be in reasonable accord with the minimum standards and requirements for milk and fluid milk products currently recommended and published by the U.S. public health service as a milk ordinance and code, except that the requirements for bottling and sterilization of bottles in such standards shall not apply to milk sold by a producer, selling only milk produced by the producer on the producer's dairy farm under the producer's own supervision, and selling such milk only in the producer's own milk house, which milk meets the requirements of grade A standards as set forth by the department of agriculture, trade and consumer protection, to a purchaser who has provided his or her own container, which has been sanitized in a manner comparable to the sanitizing of the utensils used in the production of milk by the producer, if the purchaser is purchasing milk for his or her own consumption.

SECTION 1693gq. 97.24 (4m) of the statutes is created to read:

97.24 (4m) INSPECTIONS. The department shall, at least once annually, conduct an inspection of every dairy farm which does not produce grade A milk.

SECTION 1693gs. 97.24 (5) (a) of the statutes is renumbered 97.24 (5) (a) (intro.) and amended to read:

97.24 (5) (a) *Generally.* (intro.) The department shall collect from every dairy plant the following uniform fees for the inspection and certification of ~~grade A milk and milk products and grade A~~ that dairy farms and plants. plant and any dairy receiving station, transfer station and dairy farm serving that dairy plant:

SECTION 1693gu. 97.24 (5) (a) 1 to 6 of the statutes are created to read:

97.24 (5) (a) 1. For each grade A dairy plant, as defined in s. 97.20 (1) (c), \$545. If the department conducts a reinspection of any grade A dairy plant certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that grade A dairy plant, the department shall charge that grade A dairy plant \$135 for that reinspection.

2. For each dairy receiving station, as defined in s. 97.20 (1) (d), \$255. If the department conducts a reinspection of any dairy receiving station certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that dairy receiving station, the department shall charge the dairy plant served by the dairy receiving station \$65 for that reinspection.

3. For each dairy transfer station, as defined in s. 97.20 (1) (d), \$125. If the department conducts a reinspection of any dairy transfer station certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that dairy transfer station, the department shall charge the dairy plant served by the dairy transfer station \$65 for that reinspection.

4. For each dairy plant which is not a grade A dairy plant, \$225. If the department conducts a reinspection of any such dairy plant certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that dairy plant, the department shall charge that dairy plant \$115 for that reinspection.

5. For each dairy farm serving a grade A dairy plant, \$35. If the department conducts a reinspection of any such dairy farm certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that dairy farm, the department shall charge the dairy plant \$20 for that reinspection.

6. For each dairy farm which serves a dairy plant which is not a grade A dairy plant, \$22. If the department conducts a reinspection of any such dairy farm certified under this subdivision due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that dairy farm, the department shall charge that dairy plant \$22 for that reinspection.

SECTION 1693gv. 97.24 (5) (b) of the statutes is repealed.

SECTION 1693gw. 97.24 (5) (c) (title) of the statutes is amended to read:

97.24 (5) (c) (title) *Milk producers.*

SECTION 1693gx. 97.24 (5) (c) of the statutes is renumbered 97.24 (5) (c) 1 and amended to read:

97.24 (5) (c) 1. ~~A Any milk producer who produces grade A milk and who does not sell or deliver that milk to a dairy plant licensed under s. 97.20 shall pay the \$20 a \$35 dairy farm inspection fee on or before April 30 each year, unless the fee is paid by the out-of-state dairy plant receiving the milk. A producer regularly pasteurizing and selling any milk to consumers at the farm, and who is not licensed as a dairy plant shall pay an additional equipment and product inspection fee of \$50 annually.~~

SECTION 1693gy. 97.24 (5) (c) 2 of the statutes is created to read:

97.24 (5) (c) 2. Any milk producer who produces milk which is not grade A milk and who does not sell or deliver that milk to a dairy plant licensed under s. 97.20 shall pay a \$22 dairy farm inspection fee on or before April 30 each year, unless the fee is paid by the out-of-state dairy plant receiving the milk.

SECTION 1693gym. 97.24 (5) (c) 3 of the statutes is created to read:

97.24 (5) (c) 3. Any milk producer who regularly pasteurizes and sells any milk or fluid milk product to consumers at his or her dairy farm, and who is not licensed as a dairy plant shall pay an additional equipment and product inspection fee of \$50 annually.

SECTION 1693gz. 97.24 (5m) of the statutes is created to read:

97.24 (5m) INSPECTOR CERTIFICATION PROGRAM. The department may authorize any dairy plant employe to inspect a dairy farm which does not produce grade A milk for certification under sub. (5) (a) 6 if that dairy plant employe is certified by the department under a procedure established by the department by rule.

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in Part

SECTION 1693hb. 97.24 (6) of the statutes is amended to read:

97.24 (6) LEGISLATIVE PURPOSE; UNIFORMITY; RECIPROCIITY. (a) Regulation of the production, processing and distribution of grade A milk and grade A fluid milk products under minimum sanitary requirements which are uniform throughout ~~the~~ this state and the United States is essential for the protection of consumers and the economic well-being of the dairy industry, and is therefore a matter of state-wide state-wide concern; however, nothing in this section shall impair or abridge the power of any municipality or county to regulate milk or fluid milk products under sanitary requirements and standards which are in reasonable accord with those ~~issued~~ established under this section or the power to impose reasonable license permit and inspection fees which combined shall not exceed the cost of necessary inspection. A municipality or county ~~shall~~ may not impose ~~fees~~ any fee for its inspection of milk producers, dairy plant facilities or dairy products which are under the inspection supervision of another governmental unit within or without the state with a valid certification rating made or approved by the department of health and social services. No governmental unit ~~shall~~ may impose or collect a fee directly from the producer. A license or permit fee not to exceed \$25 annually may be imposed on milk distributors licensed under s. 97.22 and on dairy plants under the inspection supervision of another governmental unit which are engaged in the distribution of milk within a municipality or county.

(b) No sanitary requirement or standard ~~issued~~ established under this section or contained in any ordinance ~~shall~~ may prohibit the sale of grade A milk or grade A fluid milk products which are produced and processed under laws or rules of any governmental unit, within or without this state, which are substantially equivalent to the requirements of the rules ~~issued~~ promulgated under this section, and which are enforced with equal effectiveness, as determined by a milk sanitation rating made or approved by the department of health and social services, ~~in accordance with the~~ under rules ~~issued~~ promulgated under this section.

SECTION 1693hd. 97.26 (2) of the statutes is amended to read:

97.26 (2) An applicant for a license under this section shall complete the application prepared by the department or a village, city or county granted agent status under s. 97.41, and provide, in writing, any additional information the department or city or county issuing the license requires. If the license is issued by the department, the application shall be accompanied by a fee of ~~\$40~~ \$25 which shall be retained by the state whether or not a license is issued. If the department conducts a reinspection of any premises used by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that premises, the department shall charge the holder of that license \$25 for that reinspection.

SECTION 1693he. 97.28 (2m) (e) of the statutes is amended to read:

97.28 (2m) (e) A charitable organization that receives distressed food for the purpose of salvaging it for use as food. For the purposes of this section, "charitable organization" ~~has the meaning specified in s. 71.04 (5) (d) 2~~ means an organization the contributions to which are deductible by corporations in computing net income under s. 71.02 (1) (c) (intro.).

SECTION 1693hf. 97.28 (3) (a) of the statutes is amended to read:

97.28 (3) (a) An applicant for a license under this section shall complete the application prepared by the department or the village, city or county granted agent status under s. 97.41 and provide, in writing, any additional information the department or village, city or county issuing the license requires. If the license is issued by the department, the application shall be accompanied by a graduated fee, which shall be retained whether or not a license is issued. The fee shall be based on the dollar volume of output for the preceding license year, as follows: For less than \$100,000, a fee of ~~\$20~~ \$35; for \$100,000 or more but less than \$250,000, a fee of ~~\$40~~ \$50; and for \$250,000 or more, a fee of ~~\$60~~ \$75. Dollar volume of output shall be determined by gross sales of product processed plus inventory value of any portion of the product not sold. If the department conducts a reinspection of any plant used by a person licensed under this paragraph due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that plant, the department shall charge for that reinspection the holder of a license for output of less than \$100,000, \$35; of a license for output of \$100,000 or more but less than \$250,000, \$50; and of a license for output of \$250,000 or more, \$75.

SECTION 1693hi. 97.34 (5) of the statutes is amended to read:

97.34 (5) Each application shall be accompanied by a fee of ~~\$50~~ \$60 payable to the department, and no license shall be issued until such fee is so paid. In case license is refused, the fee accompanying the application shall be returned by the department to the applicant with notification of refusal. If the department conducts a reinspection of any facility used by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that facility, the department shall charge the holder of that license \$55 for that reinspection.

SECTION 1693hk. 97.40 (1) of the statutes is amended to read:

97.40 (1) An applicant for a license to operate a bakery or a confectionary shall complete the application prepared by the department or a village, city or county granted agent status under s. 97.41 and provide, in writing, any additional information the department or village, city or county issuing the license requires. If the license is issued by the department, the application shall be accompanied by a graduated fee based on dollar volume of output for the preceding licensing year, as follows: For less than \$50,000, a fee of ~~\$20~~ \$35; for \$50,000 or more but less than \$150,000, a fee of ~~\$40~~ \$50; and for \$150,000 or more, a fee of ~~\$60~~ \$75. Dollar volume of output shall be determined by gross sales of product processed plus inventory value of any portion of the product not sold. Fees applicable to bakeries and confectionaries not operated during the preceding licensing year shall be determined in the manner prescribed for food processing plants under s. 97.28 (3) (b). If the department conducts a reinspection of any facility used by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that facility, the department shall charge for that reinspection the holder of a license for output of less than \$50,000, \$35; of a license for output of \$50,000 or more but less than \$150,000, \$50; and of a license for \$150,000 or more, \$75.

SECTION 1693hL. 97.41 (title), (1), (5) and (8) of the statutes are amended to read:

97.41 (title) Retail food: agent status for villages, cities and counties. (1) In the administration of this chapter, the department may enter into a written agreement with a village, city or county, if the village, city or county has a population greater than 5,000, which designates the village, 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 village, city or county under this section may be required by the department, the village, 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 village, 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 village, city or county granted agent status shall regulate all types of establishments for which this subsection permits the department to delegate regulatory authority. No village or city may be designated on or after the effective date of this subsection ... [revisor inserts date], as an agent under this subsection if the county in which the village or city is located is designated as an agent. If a county is designated before, on or after the effective date of this subsection ... [revisor inserts date], as an agent under this subsection, the designation only applies to those cities, villages and towns in the county which are not designated as an agent under this subsection.

(5) The department shall establish state fees for its costs related to setting standards for counter freezers, retail food processors, bakeries and confectionaries, setting standards for agents under this section and monitoring and evaluating the activities of, and providing education and training to, agent villages, cities and counties. Agent villages, cities and counties shall include the state fees in the license fees established under sub. (4) (a), collect the state fees and reimburse the department for the state fees collected. For each type of establishment, the state fee may not exceed 20% of the license fees charged under ss. 97.26 (2), 97.28 (3) and 97.40 (1) in villages, cities and counties where the department issues licenses.

(8) This section does not limit the authority of the department to inspect establishments in villages, cities and counties where agent status is granted if it inspects in response to an emergency, for the purpose of monitoring and evaluating the village's, city's or county's licensing, inspection and enforcement program or at the request of the village, city or county.

SECTION 1693hm. 98.145 (2) of the statutes is amended to read:

98.145 (2) No person may engage as a tester of milk or cream to determine its value for payment or for the purpose of official inspection or for records of dairy production for the purposes described above unless the person holds a license issued by the department; but no such license is required of a licensed cheese-maker or buttermaker. The license shall expire biennially on October 31 of the 2nd year commencing after the date of issuance or renewal. Each application for milk tester license or renewal thereof shall be accompanied by a fee of ~~\$20~~ \$50. Each application shall be made upon forms provided by the department. If the department conducts a reinspection of any milk or cream tested by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly sched-

uled inspection of milk or cream tested by that person, the department shall charge that person \$25 for that reinspection.

SECTION 1693ho. 98.146 (2) of the statutes is amended to read:

98.146 (2) Each application for a license under this section or license renewal shall be made on forms provided by the department and shall be accompanied by a fee of ~~\$20~~ \$30. The license shall expire biennially on September 30 of the 2nd year commencing after the date of issuance or renewal. The applicant shall not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and shall give proof of ability to engage in such weighing and sampling to the satisfaction of the department by satisfactorily passing a written examination pertaining to such activities. Any person holding a tester's license under s. 98.145, or who is engaged in weighing and sampling milk in bulk tanks, either as an employe of a purchaser or receiver of milk in bulk tanks, or as the owner of a bulk tank truck and route, on August 21, 1957, shall be licensed under this section without examination if the person satisfies the department that he or she is qualified for the license. If the department conducts a reinspection of any measurement by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that measurement, the department shall charge the holder of that license \$30 for that reinspection.

SECTION 1693hq. 99.02 (3) (d) of the statutes is created to read:

99.02 (3) (d) If the department conducts a reinspection of any warehouse operated by a person licensed under this section due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that warehouse, the department shall charge for that reinspection the holder of a license under par. (a) 1, \$50; of a license under par. (a) 2, \$100; of a license under par. (a) 3, \$150; of a license under par. (a) 4, \$200; and of a license under par. (a) 5, \$250.

SECTION 1693hs. 99.20 (3) (a) to (e) of the statutes are amended to read:

99.20 (3) (a) For a Class 1 cold storage warehouse license, ~~\$10~~ \$20.

(b) For a Class 2 cold storage warehouse license, ~~\$15~~ \$40.

(c) For a Class 3 cold storage warehouse license, ~~\$25~~ \$60.

(d) For a Class 4 cold storage warehouse license, ~~\$50~~ \$80.

(e) For a Class 5 cold storage warehouse license, ~~\$75~~ \$100.

SECTION 1693ht. 99.20 (3m) of the statutes is created to read:

99.20 (3m) If the department conducts a reinspection of any warehouse operated by a person licensed

under this section due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that warehouse, the department shall charge for that reinspection the holder of a license under sub. (3) (a), \$20; of a license under sub. (3) (b), \$40; of a license under sub. (3) (c), \$60; of a license under sub. (3) (d), \$80; and of a license under sub. (3) (e), \$100.

SECTION 1693hu. 99.30 of the statutes is amended to read:

99.30 Locker plant and processor's licenses. No person may maintain or operate a locker plant or branch locker plant or operate as a processor without a license issued by the department. A separate license is required for each location. If the processor also operates a locker plant at the place where the processing occurs, only one license is required for the single location. Any person desiring a license shall apply in writing to the department, stating the location of the locker plant, branch locker plant or processor. The department shall examine the locker plant, branch locker plant or processor, and if it is found by the department to be in a proper sanitary condition and otherwise properly equipped for its intended use in accordance with law and the rules promulgated thereunder, the department shall issue a license authorizing the applicant to operate the plant as a locker plant, branch locker plant or processor upon payment to the department of a license fee of ~~\$20~~ \$60. Examinations and inspections may be made at the convenience of the department upon receipt of a license renewal application and need not be completed before the license is issued. No licensee under this section may be required to obtain a cold storage license under s. 99.20. Licenses issued under this section shall expire annually on October 31. If the department conducts a reinspection of any locker plant operated by a person licensed under this section due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that locker plant, the department shall charge the holder of that license \$60 for that reinspection.

~~SECTION 1702m. 101.02 (17) of the statutes is created to read:~~

Vetoed
in Part

~~101.02 (17) To refuse to provide certifications for employees under the targeted jobs tax credit program, under section 51 (d) (16) of the internal revenue code, to employers involved in a labor dispute as defined in s. 111.03 (9).~~

SECTION 1704m. 101.27 (1) (b) of the statutes, as created by 1985 Wisconsin Act 153, is amended to read:

101.27 (1) (b) "Farmer" means an adult ~~who has an ownership interest in farm premises and whose primary employment is the operation of those farm premises.~~

SECTION 1706. 101.28 (3) of the statutes is created to read:

101.28 (3) A state agency, as defined in s. 20.001 (1), or an authority under ch. 231, 233 or 234 shall notify the department of development if it makes a loan or grant to a company.

SECTION 1707m. 101.29 of the statutes is created to read:

101.29 Local labor market information. (1) The department shall collect information concerning local labor markets and periodically prepare reports dealing with labor forces at a local level in this state for general circulation.

(2) The collection and distribution of local labor market information under sub. (1) shall be funded only from the appropriations under s. 20.445 (1) (m), (ma) and (n).

SECTION 1707r. 101.573 (2) of the statutes is repealed.

SECTION 1708. 101.573 (3) (a) of the statutes is amended to read:

101.573 (3) (a) On or before May 1 in each year, the department shall compile the fire department dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5% and certify to the state treasurer the proper amount to be paid from the appropriation under s. 20.445 (1) (L) to each city, village or town entitled to fire department dues under s. 101.575 ~~to the state treasurer. The. Annually, on or before August 1, the state treasurer shall pay the amounts certified by the department to the cities, villages and towns eligible under s. 101.575 on or before August 1 in each year.~~

SECTION 1710. 102.75 (3) of the statutes is repealed.

~~SECTION 1710ae. 103.02 of the statutes is amended to read:~~

~~**103.02 Hours of labor.** No person may be employed or be permitted to work in any place of employment or at any employment for such period of time during any day, night or week as is dangerous or prejudicial to the person's life, health, safety or welfare. The department shall investigate, ascertain, determine and fix such reasonable classification, and promulgate rules fixing a period of time, or hours of beginning and ending work during any day, night or week, which shall be necessary to protect the life, health, safety or welfare of any person, or to carry out the purposes of ss. 103.01 to 103.03. The department shall, by rule, classify such periods of time into periods to be paid for at regular rates and periods to be paid for at the rate of at least one and one-half times the regular rates. Such investigations, classifications and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.25 which are hereby made a part hereof, so far as not inconsistent with ss. 103.01 to 103.03, and every order of the department shall have the same force and effect as the orders issued under ss. 101.01 to 101.25 and the penalties therein shall apply to and be~~

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imposed for any violation of ss. 103.01 to 103.03. Section 103.89 applies to investigations under this section. Such orders shall be subject to review in the manner provided in ch. 227.

SECTION 1710ag. 103.49 (5) of the statutes is amended to read:

103.49 (5) It shall be the duty of the department to enforce this section. To this end it may demand, and it shall be the duty of every contractor and subcontractor to furnish to the department, copies of any or all payrolls and may examine all records relating to the wages paid laborers, workmen, or mechanics on work to which this section is applicable. Section 103.89 applies to any enforcement proceedings under this section.

SECTION 1710ak. 103.82 (4) of the statutes is created to read:

103.82 (4) Section 103.89 applies to actions or proceedings under this section.

SECTION 1710am. 103.89 of the statutes is created to read:

103.89 Employee protection. (1) **DEFINITIONS.** In this section:

(a) "Disciplinary action" means any action taken with respect to an employe which has the effect, in whole or in part, of a penalty including but not limited to any of the following:

1. Dismissal, demotion, transfer, removal of any duty assigned to the employe's position, refusal to restore, suspension, reprimand, verbal or physical harassment or reduction in base pay.

2. Denial of education or training, if the education or training may reasonably be expected to lead to an appointment, promotion, performance evaluation or other personnel action.

3. Reassignment.

4. Failure to increase base pay, except with respect to the determination of a discretionary performance award.

(b) "Employe" has the meaning given in s. 101.01 (2) (a).

(c) "Employer" has the meaning given in s. 101.01 (2) (b).

(d) "Retaliatory action" means disciplinary action taken because of any of the following:

1. The employe files a complaint or attempts to enforce any right under s. 103.82 (1) (b) or 104.12 or ch. 109.

2. The employe testified or assisted or will testify or assist in any action or proceeding held under or to enforce ss. 66.293, 103.02, 103.49, 103.82 or 104.12 or ch. 109.

3. The employer believes the employe engaged in any activity described in subs. 1 or 2.

(2) **RETALIATORY ACTION PROHIBITED.** (a) No employer may initiate or administer, or threaten to initiate or administer, any retaliatory action against an employe.

(b) Nothing in this section restricts the right of an employer to take appropriate disciplinary action against an employe who knowingly makes an untrue statement.

(3) **ENFORCEMENT.** (a) An employe who believes that an employer has initiated or administered, or threatened to initiate or administer, a retaliatory action against that employe in violation of sub. (2) may file a written complaint with the department, specifying the nature of the retaliatory action or threat thereof and requesting relief, within 60 days after the retaliatory action allegedly occurred or was threatened or after the employe learned of the retaliatory action or threat thereof, whichever occurs last.

(b) The department shall receive and investigate any complaint under par. (a). In the course of investigating or otherwise processing such a complaint, the department may require that an interview with any employe, except a management or supervisory employe who is immediately involved in the subject matter of the complaint, be conducted outside the presence of the employer unless the employe voluntarily requests that presence. An employer shall permit an employe to be interviewed without loss of pay and to have an employe representative, if any, present at the interview. The employer of an employe to be interviewed may require the department to give the employer reasonable notice prior to the interview. If the department finds probable cause to believe that a retaliatory action has occurred or was threatened, it may endeavor to remedy the problem through conference, conciliation or persuasion. If that endeavor is not successful, the department shall issue and serve a written notice of hearing, specifying the nature of the retaliatory action which has occurred or was threatened, and requiring the employer to answer the complaint at a hearing. The notice shall specify the place of hearing and a time of hearing not less than 30 days after service of the complaint upon the employer nor less than 10 days after service of the notice of hearing. If, however, the department determines that an emergency exists with respect to a complaint, the notice of hearing may specify a time of hearing within 30 days after service of the complaint upon the employer, but not less than 10 days after service of the notice of hearing. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the department.

(c) 1. After hearing, the department shall make written findings and orders. If the department finds the employer engaged in or threatened a retaliatory action, it shall order the employer to insert a copy of the findings and orders into the employe's personnel file, if any. In addition, the department may take any other appropriate action, including but not limited to the following:

a. Order reinstatement or restoration of the employe to his or her previous position with or without back pay.

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b. Order transfer of the employe to an available position for which the employe is qualified.

c. Order expungement of adverse material relating to the retaliatory action or threat from the employe's personnel file.

d. Order payment of the employe's reasonable attorney fees by the employer.

2. If, after hearing, the department finds that the employer did not engage in or threaten a retaliatory action it shall order the complaint dismissed. The department shall order the employer to insert a copy of the findings and orders into the employe's personnel file, if any. If the department finds by unanimous vote that the employe filed a frivolous complaint it may order payment of the employer's reasonable actual attorney fees and actual costs. Payment may be assessed against either the employe or the employe's attorney, or assessed so that the employe and the employe's attorney each pay a portion. To find a complaint frivolous the department must find that either s. 814.025 (3) (a) or (b) applies or that both s. 814.025 (3) (a) and (b) apply.

3. Pending final determination by the department of any complaint under this section, the department may make interlocutory orders.

4. Interim earnings or amounts earnable with reasonable diligence by an employe subjected to the retaliatory action or threat shall reduce back pay otherwise allowable. Amounts received by the employe as unemployment benefits or welfare payments do not reduce the back pay otherwise allowable, but shall be withheld from the employe and immediately paid to the unemployment reserve fund or to the welfare agency making the payment.

(d) The department shall serve a certified copy of the findings and order on the employer.

(e) 1. If an employer does not comply with any lawful order by the department, for each such failure the employer shall forfeit a sum of not less than \$10 nor more than \$100. Every day during which an employer fails to comply with any order of the department constitutes a separate violation of that order.

2. As an alternative to subd. 1, the department may enforce an order by a suit in equity.

(f) If a disciplinary action occurs or is threatened within one year of an employe taking an action specified under sub. (1) (d) 1 or 2, the disciplinary action is presumed to be a retaliatory action or threat of retaliatory action. The employer may rebut the presumption by a preponderance of the evidence that the disciplinary action or threat was not a retaliatory action or a threat of retaliatory action.

(g) Findings and orders of the department under this section are subject to judicial review under ch. 227.

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SECTION 1710b. 104.01 (1) of the statutes is renumbered 104.01 (1m).

SECTION 1710c. 104.01 (1) of the statutes is created to read:

104.01 (1) "Agricultural employe" means an employe working on farm premises as described in s. 102.04 (3).

SECTION 1710d. 104.01 (3m) of the statutes is created to read:

104.01 (3m) "Federal minimum hourly wage" means the applicable amount specified under 29 USC 206 (a) (1) without regard to any restrictions under 29 USC 203 (e) or exemptions under 29 USC 213 (a).

SECTION 1710e. 104.01 (5) of the statutes is amended to read:

104.01 (5) The term "living wage" shall mean "Living wage" means compensation for labor paid, whether by time, piecework or otherwise, sufficient to enable the employe receiving it to maintain himself or herself under conditions consistent with his or her welfare.

SECTION 1710g. 104.01 (7m) of the statutes is created to read:

104.01 (7m) "Tips" means tips or similar customer gratuities that may be counted toward fulfillment of the employer's obligation under this chapter according to rules promulgated by the department under s. 104.045 (1).

SECTION 1710h. 104.02 of the statutes is amended to read:

104.02 (title) Living wage prescribed. Every wage paid or agreed to be paid by any employer to any employe, except as otherwise provided in s. 104.07, shall be not less than a living wage living wage or, if established under s. 104.025 or by rule, the applicable minimum wage.

SECTION 1710i. 104.025 of the statutes is created to read:

104.025 Minimum wage established. (1) MINIMUM WAGE ESTABLISHED BY RULE; CERTAIN CASES. The department shall promulgate rules establishing the minimum wage for all of the following:

(a) A counselor employed at a seasonal recreational or educational camp, including a day camp, for campers under the age of 18.

(b) A person engaged in casual employment in and around an employer's home on an irregular or intermittent basis for not more than 15 hours per week.

(c) A person who lives with someone suffering a physical or mental disability and who provides companionship, general household work and care, not including practical or professional nursing as defined in s. 441.11 (3) and (4).

(d) A caddy on a golf course.

(e) An employe licensed under s. 104.07 (1).

(2) MINIMUM WAGE GENERALLY. Except as provided in subs. (1), (3) and (4) and s. 140.07, the minimum wage, computed at an hourly rate, shall equal whichever of the following applies:

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(a) For an employe at least 18 years of age:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greater of the following:
 - a. The amount of \$3.55.
 - b. The federal minimum hourly wage.
2. Beginning on January 1, 1989, the greater of the following:
 - a. The amount of \$3.85.
 - b. The federal minimum hourly wage.

(b) For an employe under the age of 18:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greater of the following:
 - a. The amount of \$3.20.
 - b. The federal minimum hourly wage, minus 35 cents.
2. Beginning on January 1, 1989, the greater of the following:
 - a. The amount of \$3.50.
 - b. The federal minimum hourly wage, minus 35 cents.

(3) EMPLOYEES RECEIVING TIPS. Except as provided in sub. (1), the minimum wage, computed on an hourly basis, for an employe who receives tips shall equal whichever of the following applies:

(a) For an employe at least 18 years of age:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greatest of the following:
 - a. The amount of \$2.25.
 - b. The greater of the amounts specified in sub. (2) (a) 1. a and b, less tips.
 - c. The federal minimum hourly wage, minus \$1.30.
2. Beginning on January 1, 1989, the greatest of the following:
 - a. The amount of \$2.55.
 - b. The greater of the amounts specified in sub. (2) (a) 2. a and b, less tips.
 - c. The federal minimum hourly wage, minus \$1.30.

(b) For an employe under the age of 18:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greatest of the following:
 - a. The amount of \$1.95.
 - b. The greater of the amounts specified in sub. (2) (b) 1. a and b, less tips.
 - c. The federal hourly minimum wage, minus \$1.60.
2. Beginning on January 1, 1989, the greatest of the following:
 - a. The amount of \$2.25.
 - b. The greater of the amounts specified in sub. (2) (b) 2. a and b, less tips.
 - c. The federal hourly minimum wage, minus \$1.60.

(4) EMPLOYEES WORKING IN AGRICULTURE. Except as provided in sub. (1), the minimum wage, computed on an hourly basis, for an agricultural employe shall equal whichever of the following applies:

(a) For an employe at least 18 years of age:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greater of the following:

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- a. The amount of \$3.35.
- b. The federal minimum hourly wage, minus 20 cents.

2. Beginning on January 1, 1989, the greater of the following:
 - a. The amount of \$3.65.
 - b. The federal minimum hourly wage, minus 20 cents.

(b) For an employe under the age of 18:

1. Beginning on January 1, 1988, and ending on December 31, 1988, the greater of the following:
 - a. The amount of \$3.
 - b. The federal minimum hourly wage, minus 55 cents.
2. Beginning on January 1, 1989, the greater of the following:
 - a. The amount of \$3.30.
 - b. The federal minimum hourly wage, minus 55 cents.

SECTION 1710j. 104.03 of the statutes is amended to read:

104.03 Unlawful wages. Any employer paying, offering to pay, or agreeing to pay any employe a wage lower or less in value than a living wage living wage or, if established under s. 104.025 or by rule, the applicable minimum wage is guilty of a violation of ss. 104.01 to 104.12.

SECTION 1710k. 104.04 of the statutes is amended to read:

104.04 (title) Department's authority. The department shall investigate, ascertain, determine and fix such reasonable classifications, and shall impose, by general or special orders, determining the living wage minimum wages under s. 104.025 (1), and shall carry out the purposes of ss. 104.01 to 104.12. Such investigations, classifications and orders shall be made pursuant to the proceeding procedure in ss. 101.01 to 101.25, which are hereby made a part hereof, so far as not inconsistent with ss. 104.01 to 104.12; and every order of the department shall have the same force and effect as the orders issued pursuant to said ss. 101.01 to 101.25, and the penalties therein shall apply to and be imposed for any violation of ss. 104.01 to 104.12. The department may not establish a different minimum wage for men and women. Said orders shall be subject to review in the manner provided in ch. 227.

SECTION 1710m. 104.045 of the statutes is renumbered 104.045 (intro.) and amended to read:

104.045 (title) Tips, meals and lodging, and hours worked. (intro.) The department shall by rule determine what amount of promulgate rules governing all of the following:

- (1) The calculation of tips or similar gratuities may be counted toward fulfillment of the employer's obligation under this chapter.

SECTION 1710n. 104.045 (2) and (3) of the statutes are created to read:

Vetoed
in Part

~~104.045 (2) The deduction of meals or lodging provided by an employer to an employe from the employer's obligations under this chapter.~~

~~(3) The determination of hours worked by an employe during which he or she is entitled to a living wage or minimum wage under this chapter.~~

~~SECTION 1710p. 104.05 of the statutes is amended to read:~~

~~**104.05 Complaints; investigation.** The department shall, within 20 days after the filing of a verified complaint of any person setting forth that the wages paid to any employe in any occupation specified in s. 104.025 (1) are not sufficient to enable the employe to maintain himself or herself under conditions consistent with his or her welfare, investigate and determine whether there is reasonable cause to believe that the wage paid to any employe is not a living wage living wage.~~

~~SECTION 1710q. 104.06 of the statutes is amended to read:~~

~~**104.06 Wage council; determination.** If, upon investigation, the department finds that there is reasonable cause to believe that the wages paid to any employe specified in s. 104.025 (1) are not a living wage living wage, it shall appoint a wage council, selected so as fairly to represent employers, employes and the public, to assist in its investigations and determinations. The living wage minimum wage so determined upon shall be the living wage minimum wage for all employes specified in s. 104.025 (1) within the same class as established by the classification of the department.~~

~~SECTION 1710r. 104.07 (1) and (2) of the statutes are amended to read:~~

~~104.07 (1) The department shall make promulgate rules and grant licenses, to any employer who employs any employe employes unable to earn the living wage heretofore determined upon, applicable minimum wage established under s. 104.025 or by rule permitting such person employes to work for a wage which shall be commensurate with ability and each license so granted shall establish a wage for the licensee. A license granted to an employe under this subsection may be relied upon by any employer and the department may not require the employe to obtain another license if he or she changes employers.~~

~~(2) The department shall make promulgate rules and grant licenses to sheltered workshops to permit the employment of handicapped workers unable to earn the living wage heretofore determined applicable minimum wage established under s. 104.025 or by rule upon permitting such persons to work for a wage which shall be commensurate with his or her ability and productivity. A license granted to a sheltered workshop, under this section, may be issued for the entire workshop or a department thereof.~~

~~SECTION 1710s. 104.01 (1) of the statutes is amended to read:~~

Vetoed
in Part

~~104.08 (1) All persons working in an occupation for which a living wage minimum wage has been established for minors, and who shall have no trade, shall, if employed in an occupation which is a trade industry, be indentured under the provisions of s. 106.01.~~

~~SECTION 1710t. 104.11 of the statutes is amended to read:~~

~~**104.11 Definition of violation.** Each day during which any employer shall employ a person for whom a living wage minimum wage has been fixed established under s. 104.025 or by rule at a wage less than the living wage fixed established minimum wage shall constitute a separate and distinct violation of ss. 104.01 to 104.12.~~

~~SECTION 1710v. 104.12 of the statutes is amended to read:~~

~~**104.12 Complaints.** Any person may register with the department a complaint that the wages paid to an employe for whom a living wage minimum wage has been established, are less than that rate, and the department shall investigate the matter and take all proceedings necessary to enforce the payment of a wage not less than the living wage established minimum wage. Section 103.89 applies to complaints and proceedings under this section.~~

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~~SECTION 1710vd. 106.01 (5t) (a) of the statutes is amended to read:~~

~~106.01 (5t) (a) The proper persons described in sub. (4) (a) to (d) may enter into such an indenture with any organization of employes, association of employers or other similar responsible agency in this state, subject to par. (d). Such organization, association or other agency, subject to par. (d), shall thereupon, with the written consent of the other parties to the indenture, and the written acceptance thereof by the proposed employer, assign the indenture to the employer, and he and the apprentice named in the indenture shall be bound by the terms thereof. Such consent and acceptance shall be executed in triplicate and one copy of each shall be delivered, respectively to the department, to the employer and to the apprentice and in each case shall be attached to the proper indenture. The approval of the department shall first be had in each transaction. Such organization, association or other agency, subject to par. (d), shall have the exclusive right to assign the indenture and the apprentice shall not be permitted to enter into any other indenture. The period transpiring before assignment to an employer shall not be credited toward the period of apprenticeship.~~

Vetoed
in Part

~~SECTION 1710vh. 106.01 (5t) (b) of the statutes is amended to read:~~

~~106.01 (5t) (b) Any employer may assign his indenture, with the approval of the department and the written consent of the other parties thereto, to any association of employers, organization of employes or any other similar responsible agency in this state, subject to par. (d). The period of time in which such asso-~~

Vetoed
in Part

station, organization or other agency, subject to par. (d), shall be such assignee shall not be credited as time served by the apprentice. After such assignment the association, organization or other agency, subject to par. (d), shall, with the approval of the department and the written consent of the apprentice, assign the indenture to an employer but the apprentice shall not be bound by the assignment unless the employer accepts, by his signed instruments, the terms of the indenture and that he will complete the employer's unperformed obligations thereunder; each such consent and acceptance shall be executed in triplicate and one of each, respectively, shall be delivered to the department, to the assignee employer and to the apprentice and in each case shall be attached to the proper indenture. Upon acceptance the employer shall for all purposes be deemed a party to the indenture.

SECTION 1710vp. 106.01 (5i) (d) of the statutes is created to read:

106.01 (5i) (d) 1. In this paragraph:

a. "Area joint committee" means a committee with membership equally divided between employees and employers in construction trades, subject to rules promulgated by the department.

b. "Construction trades" means masonry, plumbing, carpentry, steam fitting, painting, sheet metal and iron work, and other similar trades specified by the department.

2. Indentures in construction trades are subject to all of the following:

a. Subject to subd. 2. b, only an area joint committee may enter into an indenture as an association of employers, organization of employees or other similar responsible agency in this state under pars. (a) and (b).

b. Subdivision 2. a does not apply if the department determines that no area joint committee exists in the jurisdictional area, as established by the department, where the principal place of business of the employer is located.

SECTION 1710vt. 106.01 (5j) of the statutes is amended to read:

106.01 (5j). The department may, and it shall have power on its own motion, or on the complaint of any person, after due notice and a hearing had, make findings and issue orders declaring any indenture, contract or agreement at an end if it shall be proved at such hearing that any apprentice, employer or such organization, association or other agency, subject to sub. (5i) (d), is unable to continue with the obligations under the contract or has breached the same. Upon the termination of the indenture, the apprentice released therefrom shall be free to enter into a new indenture under such conditions and terms as the department may approve and which are not inconsistent with this section.

Vetoed
in Part

SECTION 1710x. 108.141 (3g) (a) 3. c. of the statutes is amended to read:

~~108.141 (3g) (a) 3. c. Wages for the work equal or exceed the higher of either the minimum wage provided by 29 USC 206, without regard to any exemption, or any state or local minimum wage under s. 104.025 (2) (a), and~~

Vetoed
in Part

SECTION 1711. 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 All payments to the fund from the administrative account as interest and penalties on delinquent payments authorized under this chapter s. 108.20 (2m).~~

SECTION 1712. 108.19 (1m) of the statutes is amended to read:

108.19 (1m) Each employer subject to this chapter as of the date a rate is established under this subsection shall pay an assessment to the 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 administrative account and utilized for future interest payments the purposes specified in s. 108.20 (2m).

SECTION 1713. 108.20 (1) of the statutes is amended to read:

108.20 (1) To finance the administration of this chapter and to carry out its provisions and purposes there is established the "administrative account" ~~from the appropriation under s. 20.445 (1) (g).~~ This account shall consist of all contributions and moneys not otherwise appropriated paid to or transferred by the department for the account under s. 108.19, and of all moneys received for 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.

SECTION 1714. 108.20 (2) of the statutes is amended to read:

108.20 (2) All amounts received by the department for the administrative account shall be paid over to the state treasurer and credited to that 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~~ purposes specified in sub. (2m).

SECTION 1715. 108.20 (2m) of the statutes is amended to read:

108.20 (2m) From the moneys not appropriated under s. 20.445 (1) (ge) and (gf) which are received by the 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, 42 USC 1321 to 1324, to the ~~unemployment reserve fund~~, may make payments to satisfy a federal audit exception concerning a payment from the fund or any federal aid disallowance involving the unemployment compensation program, or may make payments to the fund if such action is necessary to obtain a lower interest rate or deferral of interest payments on advances from the federal unemployment account under title XII of the social security act, except that any interest earned pending disbursement of federal employment security grants under s. 20.445 (1) (n) shall be credited to the general fund. Any moneys reverting to the administrative account from the ~~appropriation~~ appropriations under s. 20.445 (1) (ge) and (gf) shall be utilized for interest payments or credited as provided in this subsection.

SECTION 1716. 108.20 (3) of the statutes is amended to read:

108.20 (3) There shall be included in the moneys governed by sub. (2m) any amounts collected by the department under s. 108.04 (11) (c) or 108.19 (1) or (2), or under s. 108.04 (13) (c) or s. 108.22 (1) (a) as tardy filing fees, forfeitures or interest on delinquent payments and any excess moneys collected under s. 108.19 (1m).

SECTION 1717. 109.07 (1) of the statutes is amended to read:

109.07 (1) Every employer employing 100 or more persons in this state who has decided upon a merger, liquidation, disposition or relocation within or without the state, resulting in a cessation of business operations affecting 10 or more employees shall promptly notify the department, any affected employee, any collective bargaining representative of any affected employee, and the clerk of any town, village, city or county in which the affected place of employment is located, in writing of such action no later than 60 days prior to the date that such merger, liquidation, disposition, relocation or cessation takes place. The employer shall provide in writing all information concerning its payroll, affected employees and the wages and other remuneration owed to such employees as the

department may require. The department may in addition require the employer to submit a plan setting forth the manner in which final payment in full shall be made to affected employees. The department shall promptly provide a copy of the notice required under this subsection to the department of development and shall cooperate with the ~~council for economic adjustment and the~~ department of development in the performance of ~~their~~ its responsibilities under ~~ss. 15.157 (5) and s. 560.15.~~

~~SECTION 1717g. 109.10 of the statutes is created to read:~~

~~109.10 Protection of employees. Section 103.89 applies to any proceeding under this chapter.~~

SECTION 1717m. 110.20 (3) (b) of the statutes is amended to read:

110.20 (3) (b) The inspection and maintenance program may be designed to determine compliance with s. 144.42 (6) for any nonexempt vehicle which, upon inspection under sub. (6) or (6m), is determined not to comply with one or more applicable emissions limitations.

SECTION 1717p. 110.20 (6m) and (8) (f) of the statutes are created to read:

110.20 (6m) TAMPERING INSPECTIONS. In addition to the other requirements of this section, the inspection and maintenance program shall require random inspections of not less than 5% annually of nonexempt vehicles subject to sub. (6) to determine compliance with s. 144.42 (6). This subsection does not apply until the department renews or renegotiates a contract under sub. (8) (f).

(8) (f) When the department renews or renegotiates a contract under par. (a) in effect on the effective date of this paragraph ... [revisor inserts date], the department shall require in the renewed or renegotiated contract that the contractor perform the inspections under sub. (6m).

SECTION 1720m. 110.20 (8) (cm) of the statutes is created to read:

110.20 (8) (cm) The department may delegate to the contractor functions associated with the issuance of the temporary waiver certificate under sub. (10) (b) or the waiver of compliance under sub. (13) (a) or both.

SECTION 1720r. 110.21 of the statutes is amended to read:

110.21 Education and training related to motor vehicle emissions. The department shall conduct a program of public education related to the motor vehicle emission inspection and maintenance program established under s. 110.20 (6) and the tampering inspection program under s. 110.20 (6m). The program under s. 110.20 (6) may include a pilot project of motor vehicle emissions inspections for those owners who elect to present their motor vehicles for inspection.

~~SECTION 1721a. 111.81 (7) (c) of the statutes is created to read:~~

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in Part

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in Part

~~111.81(7)(c) Staff attorneys employed by the public defender board, except supervisors, management employees and individuals who are privy to confidential matters affecting the employer-employee relationship.~~

~~SECTION 1721b. 111.825 (1) (intro.) of the statutes is amended to read:~~

~~111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful collective bargaining, units must be structured in such a way as to avoid excessive fragmentation whenever possible. In accordance with this policy Except as provided in s. 111.83 (7), collective bargaining units for employees in the classified service of the state are structured on a statewide basis with one collective bargaining unit for each of the following occupational groups:~~

~~SECTION 1721c. 111.825 (2) (intro.) of the statutes is amended to read:~~

~~111.825 (2) (intro.) Collective Except as provided in s. 111.83 (7), collective bargaining units for employees in the unclassified service of the state shall be structured with one collective bargaining unit for each of the following groups:~~

~~SECTION 1721d. 111.825 (2) (d) of the statutes is created to read:~~

~~111.825 (2) (d) Staff attorneys employed by the public defender board.~~

~~SECTION 1721e. 111.825 (3) of the statutes is amended to read:~~

~~111.825 (3) The Except as provided in s. 111.83 (7), the commission shall assign employees to the appropriate collective bargaining units set forth in subs. (1) and (2).~~

~~SECTION 1721f. 111.825 (4) of the statutes is amended to read:~~

~~111.825 (4) Any Except as provided in s. 111.83 (3), any labor organization may petition for recognition as the exclusive representative of a collective bargaining unit specified in sub. (1) or (2) in accordance with the election procedures set forth in s. 111.83, provided the petition is accompanied by a 30% showing of interest in the form of signed authorization cards. Each additional labor organization seeking to appear on the ballot shall file petitions within 60 days of the date of filing of the original petition and prove, through signed authorization cards, that at least 10% of the employees in the collective bargaining unit want it to be their representative.~~

~~SECTION 1721g. 111.83 (4) of the statutes is amended to read:~~

~~111.83 (4) Whenever Except as provided in s. 111.83 (7) (a), whenever an election has been conducted under sub. (3) in which the name of more than one proposed representative appears on the ballot and results in no conclusion, the commission may, if requested by any party to the proceeding within 30 days from the date of the certification of the results of the election, conduct a runoff election. In that runoff election, the commission shall drop from the ballot the~~

~~name of the representative who received the least number of votes at the original election. The commission shall drop from the ballot the privilege of voting against any representative if the least number of votes cast at the first election was against representation by any named representative.~~

~~SECTION 1721h. 111.83 (7) of the statutes is created to read:~~

~~111.83 (7) (a) Upon petition of at least 30% of the employees in the collective bargaining unit specified in s. 111.825 (2) (d), the commission shall hold an election limited to the employees in that collective bargaining unit concerning whether the employees in that collective bargaining unit desire to merge with the collective bargaining unit specified in s. 111.825 (1) (f) 3, to be represented in a separate collective bargaining unit under s. 111.825 (2) (d), or to remain unrepresented. Upon petition of at least 30% of the employees in the collective bargaining unit specified in s. 111.825 (2) (d), the name of a proposed representative for the collective bargaining unit specified in s. 111.825 (2) (d) shall appear on the ballot. Upon petition of at least 10% of the employees in the collective bargaining unit specified in s. 111.825 (2) (d) filed within 60 days after the filing of the original petition, the name of an additional proposed representative for the collective bargaining unit specified in s. 111.825 (2) (d) shall appear on the ballot. The ballot shall be limited to one question, but if no choice receives a majority of the votes cast, the commission shall hold one or more runoff elections until one choice receives a majority of the votes cast.~~

~~(b) If a majority of the employees in the collective bargaining unit specified in s. 111.825 (2) (d) vote to merge with the collective bargaining unit specified in s. 111.825 (1) (f) 3, the representative of the collective bargaining unit specified in s. 111.825 (1) (f) 3, if any, shall be the representative of the merged collective bargaining unit until another election is held under this section. In any election subsequent to the creation of a merged collective bargaining unit, all employees in the merged collective bargaining unit may vote and the merged collective bargaining unit shall not be permitted to demerge.~~

~~(c) If the employees in the collective bargaining unit specified in s. 111.825 (2) (d) petition for an election under par. (a) prior to November 1, 1988, and the employees of the collective bargaining unit specified in s. 111.825 (2) (d) vote in that election to merge with the collective bargaining unit specified in s. 111.825 (1) (f) 3, the employer and any existing representative shall renegotiate any existing collective bargaining agreement to include all newly covered employees. The merger of the collective bargaining units shall take effect upon approval of the renegotiated collective bargaining agreement under s. 111.92 (1).~~

~~(d) If a collective bargaining agreement is in effect in the collective bargaining unit specified in s. 111.825 (1) (f) 3 and the employees in the collective bargaining unit specified in s. 111.825 (2) (d) do not petition for~~

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~~an election under par. (a) prior to November 1, 1988; any subsequent petition for an election under par. (a) may only be filed during October of the calendar year preceding expiration of the collective bargaining agreement. If the employees in the collective bargaining unit specified in s. 111.825 (2) (d) vote in that election to merge with the collective bargaining agreement specified in s. 111.825 (1) (f) 3, the merger of the collective bargaining units shall become effective on the day that the succeeding collective bargaining agreement between the employer and the representative takes effect.~~

~~(c) Whenever the employees in the collective bargaining unit specified in s. 111.825 (2) (d) have not voted to merge with the collective bargaining unit under s. 111.825 (1) (f) 3, any election to determine a representative for that collective bargaining unit shall be structured in the manner prescribed in par. (a).~~

~~SECTION 1721i. 111.84 (2) (c) of the statutes is amended to read:~~

~~111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91 (1) with the duly authorized officer or agent of the employer which is the recognized or certified exclusive collective bargaining representative of employees specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or any collective bargaining unit which is merged with such a unit, or with the certified exclusive collective bargaining representative of representing solely employees specified in s. 111.81 (7) (b) or (c) in an appropriate collective bargaining unit. Such refusal to bargain shall include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.~~

~~SECTION 1721j. 111.91 (1) (a) of the statutes is amended to read:~~

~~111.91 (1) (a) Except as provided in pars. (b) to (e), matters subject to collective bargaining to the point of impasse are wage rates, as related to general salary scheduled adjustments consistent with sub. (2), and salary adjustments upon temporary assignment of classified employees to duties of a higher classification or downward reallocations of an a classified employee's position; fringe benefits; hours and conditions of employment.~~

~~SECTION 1721m. 111.91 (2) (e) of the statutes is created to read:~~

~~111.91 (2) (e) Matters related to grants made by the department of transportation under s. 85.107 (3) (b).~~

~~SECTION 1721p. 111.91 (4) of the statutes is amended to read:~~

~~111.91 (4) The secretary of the department, in connection with the development of tentative collective bargaining agreements to be submitted under s. 111.92, shall endeavor to obtain tentative agreements with each recognized or certified labor organization representing employees or supervisors of employees specified in s. 111.81 (7) (a) or employees who have~~

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in Part

~~voted to merge a collective bargaining unit with such employees and with each certified labor organization representing solely employees specified in s. 111.81 (7) (b) or (c) which do not contain any provision for the payment to any employee of a cumulative or noncumulative amount of compensation in recognition of or based on the period of time an employee has been employed by the state.~~

~~SECTION 1721s. 111.92 (3) of the statutes is renumbered 111.92 (3) (a) and amended to read:~~

~~111.92 (3) (a) Agreements Except as authorized in par. (b), agreements shall coincide with the fiscal year or biennium.~~

~~SECTION 1721t. 111.92 (3) (b) of the statutes is created to read:~~

~~111.92 (3) (b) A collective bargaining agreement covering employees in the collective bargaining unit specified in s. 111.825 (1) (f) 3 which is renegotiated under s. 111.83 (7) (c) need not coincide with the fiscal year or biennium.~~

~~SECTION 1721w. 111.93 (2) of the statutes is amended to read:~~

~~111.93 (2) All civil service and other applicable statutes concerning wages, fringe benefits, hours and conditions of employment apply to employees specified in s. 111.81 (7) (a) who are not included in a collective bargaining unit for which a representative is recognized or certified or a collective bargaining unit which is merged with such a unit and to employees specified in s. 111.81 (7) (b) or (c) who are not included in a separate collective bargaining unit for which a representative is certified.~~

~~SECTION 1725m. 112.06 (9) of the statutes is amended to read:~~

~~112.06 (9) TAX OBLIGATIONS. This section does not affect any obligation of a corporation or transfer agent with respect to estate, inheritance death, succession or other taxes imposed by the laws of this state.~~

~~SECTION 1726m. 114.31 (7) of the statutes is amended to read:~~

~~114.31 (7) STATE AID. Notwithstanding ss. 20.395 (2) (dg) and (9) (rd) and (td) and 114.33 to 114.35 and 114.37, the secretary may not authorize the payment of state aid to the public airport having, on May 15, 1987, the name "General Mitchell International Airport" unless the name of that airport is changed to "Milwaukee Mitchell International Airport." The secretary shall establish, by rule, such additional conditions as he or she deems necessary to the grant of state aid.~~

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in Part

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in Part

~~SECTION 1729md. 114.33 (1), (2) and (3) of the statutes are amended to read:~~

~~114.33 (1) Any county, city, village or town, either singly or jointly with one or more counties, cities, villages or towns, or any owner of a public-use airport desiring to sponsor an airport development project to be constructed with federal aid and state aid or with the state aid alone as provided by this chapter, may~~

initiate such project in the manner provided by this section. The department may initiate and sponsor an airport project in the same manner as a local governing body. If the department initiates and sponsors an airport project, it shall hold a hearing in the area affected by the project. Notice of the hearing shall be given as provided in sub. (2). The department may install, operate and maintain air navigation facilities with or without federal aid and may enter into agreements with sponsors to share the maintenance and operation costs of such facilities.

(2) Such initiation shall be by a petition filed with the secretary of ~~transportation~~ by the governing body or bodies of the counties, cities, villages or towns or by the governing body of a public-use airport not owned by a county, city, village or town desiring to sponsor the project, or if the project is initiated and sponsored by the department by a statement by the secretary setting forth among other things that the airport project is necessary and the reason therefor; the class of the airport that it is desired to develop, the location of the project in general, and the proposed site tentatively selected; the character, extent and kind of improvement desired under the project, evidence, in the form of a transcript, that the project has received a public hearing in the area affected before adoption by the petitioners, and any other statements that the petitioners or the department may desire to make. At least 10 days' notice of the public hearing shall be given by publication of a class 1 notice, under ch. 985, in the area affected.

(3) If the project has been sponsored by a local governing body or bodies or by the governing body of a public-use airport not owned by a county, city, village or town, the secretary shall make a finding within a reasonable time after receipt of the petition. If such finding is generally favorable to the development petitioned for, the secretary shall submit the finding to the governor for approval and no finding favoring an airport development project shall be effective unless the governor's approval is endorsed thereon in writing. If the finding is approved by the governor the secretary shall notify the petitioners to that effect by filing a copy of the finding, which shall include among other things the location of the approved site, the character and extent of the improvements deemed necessary, and an approximate estimate of the costs and the amount to be paid by the sponsor. The finding shall constitute approval of the airport site so specified as a portion of the state airport system. On receipt of the finding the sponsors shall take action at their next meeting toward providing their share of the cost and shall promptly notify the secretary. The sponsors may proceed in accordance with the finding to acquire the site and to make master development plans and project plans, and shall be entitled to receive credit therefor as provided by federal law and by this chapter. On completion and approval of the plans a revised estimate of the project costs shall be made for the purposes of the project application.

SECTION 1729mh. 114.33 (5) to (11) of the statutes are amended to read:

114.33 (5) In the case of projects to be carried out by contract, force account, or by a county highway committee in a manner similar to the applicable provisions of s. 84.06 (3), the sponsor's share of the cost of a project shall be deposited in the state treasury promptly on the request of the secretary of ~~transportation~~, to be held in trust for the purposes of the project. The secretary of ~~transportation~~ need not request the entire share at any one time. The secretary of ~~transportation~~ ~~shall have the right to~~ may suspend or discontinue proceedings or construction relative to any project at any time if any sponsor ~~shall fail~~ fails to pay the amount properly required of it as its contribution to ~~such~~ the project. In the case of projects or parts of projects authorized by the secretary of ~~transportation~~ to be performed by force account methods, the secretary of ~~transportation~~ may permit the sponsor to retain the sponsor's share of the cost of ~~such~~ authorized project work provided the sponsor is to do the work. In such case the sponsor will be periodically reimbursed for the state or federal share, or both, on the basis of audited costs incurred by the sponsor.

(6) For the purposes of carrying out this section and ss. 114.35 and 114.37, the secretary of ~~transportation~~ may acquire by gift, devise, purchase or condemnation any lands for establishing, protecting, laying out, enlarging, extending, constructing, reconstructing, improving and maintaining airports, or interests in lands in and about airports, and after establishment, layout and completion of such improvements, the secretary of ~~transportation~~ may convey as ~~herein~~ after provided such in this subsection lands thus acquired and not necessary for ~~such~~ airport improvements, with reservations concerning the future use and occupation of ~~such~~ those lands so as to protect ~~such~~ the airports and improvements and their environs and to preserve the view, appearance, light, air and usefulness of ~~such~~ the airports. Whenever the secretary of ~~transportation~~ deems it necessary to acquire any ~~such~~ lands or interests ~~therein~~, in lands for any of ~~such~~ those purposes, ~~he~~ the secretary shall so order and in ~~such~~ the order, or on a map or plat, show the lands and interests required, ~~and~~. The secretary shall file a copy of the order and map with the county clerk of each county in which such the lands or interests are required. For the purposes of this section the secretary of transportation may acquire private or public lands or interests therein. When so provided in the secretary of transportation's secretary's order, such the land shall be acquired in fee simple. Unless he the secretary elects to proceed under sub. (3), the secretary of transportation shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required at a price, including any damages, deemed reasonable by the secretary of transportation. The instrument of conveyance shall name the state as grantee and shall be recorded in the office of the register of deeds. The purchase or acquisition of lands or

interests therein under this section is excepted and exempt from s. 20.914 (1). The secretary of ~~transportation~~ may purchase or accept donations of remnants of tracts or parcels of land existing at the time or after ~~he~~ the secretary has acquired portions of such tracts or parcels, by purchase or condemnation for airport purposes, where in the judgment of the secretary of ~~transportation~~ such action would assist in making whole the land owner, a part of whose lands have been taken for airport purposes and would serve to minimize the overall cost of such taking by the public.

(7) If any of the needed lands or interests therein in lands cannot be purchased expeditiously for a price deemed reasonable by the secretary of ~~transportation~~, the secretary of ~~transportation~~ may acquire the same those lands or interests as provided in s. 32.05.

(8) (a) The secretary of ~~transportation~~, upon the petition of the a sponsoring municipality, may provide that all or certain parts of the required land or interests therein in land may be acquired by the municipality named by the secretary of ~~transportation~~. When so provided, the municipality and the secretary of ~~transportation~~ shall appraise and set the maximum price, including damages, considered reasonable for the lands or interests to be so acquired. The municipality shall endeavor to obtain easements or title in fee simple by conveyance of the lands or interests required, as directed in the ~~secretary of transportation's~~ secretary's order. The instrument of conveyance shall name the municipality or municipalities as grantee and shall be subject to approval by the secretary of ~~transportation~~, and shall be recorded in the office of the register of deeds and filed with the secretary of ~~transportation~~. If the needed lands or interests therein in lands cannot be purchased expeditiously within the appraised price, the municipality may acquire them by condemnation, as provided in s. 32.05.

(b) Any property of whatever nature acquired in the name of a city, village or town pursuant to this section or any predecessor shall be conveyed to the state without charge by the city, village or town when so ordered by the secretary of ~~transportation~~.

(c) The municipality when so ordered by the secretary of ~~transportation~~ is ~~authorized and empowered to sell and~~ shall sell at public or private sale, subject to such the conditions and terms authorized by the secretary of ~~transportation~~, any and all buildings, structures, or parts thereof, and any other fixtures or personally acquired in the name of the municipality under this section or any predecessor. The proceeds from such the sale shall be deposited with the state in the appropriate airport fund and the expense incurred in connection with such the sale shall be paid from such that fund.

(9) The cost of the lands and interests acquired and damages allowed pursuant to this section, ~~expenses~~ incidental thereto expenses and the customary per diem and expenses of the municipality incurred in per-

forming duties pursuant to this section, shall be paid out of the available airport improvement funds.

(10) Subject to the approval of the governor as ~~herein provided under this subsection~~, the secretary of ~~transportation~~ may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary of ~~transportation~~ when the secretary of ~~transportation~~ determines that such the property is no longer necessary for the state's use for airport purposes. The secretary of ~~transportation~~ shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same prop-erty should be sold, together with an application for the governor's approval of such the sale. The governor shall ~~thereupon make such investigation~~ investigate the proposed sale as he or she deems necessary and approve or disapprove such the application. Upon such approval and receipt of the full purchase price, the secretary of ~~transportation~~ shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from such the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary of ~~transportation~~ in connection with the sale shall be paid from such that fund.

(11) Subject to the approval of the governor, the secretary of ~~transportation~~ may convey lands or interests therein in lands acquired pursuant to under this section and improvements installed thereon on those lands to municipalities named in the ~~secretary of transportation's~~ secretary's order. The conveyance of the lands or interests therein in lands and improvements shall restrict the use of the premises by the municipality to the uses for which they were acquired, except that the lands or interests therein in lands declared by the secretary of ~~transportation~~ to be excess may be ~~so~~ conveyed without restrictions as to use.

SECTION 1729mp. 114.33 (13) of the statutes is created to read:

114.33 (13) Subsections (6) to (12) do not apply to lands or interests in lands associated with projects for public-use airports which are not owned by a county, city, village or town.

SECTION 1729mt. 114.34 (1) and (2) of the statutes are amended to read:

114.34 (1) The costs of ~~public-use~~ airport improvement projects involving federal aid, in excess of the federal government's share, shall be borne by the sponsor and the state, except that the state shall pay not more than one-half of such excess costs, nor more than \$100,000 for the cost of a building project or building improvement project and no part of the cost of hangars. The secretary, upon agreement with the sponsor, may advance up to 10% of the amount of any federal aid grant agreement for the payment of project costs of a federal aid project from unallocated

state airport funds, subject to reimbursement upon final liquidation and settlement of the project with the sponsor and federal government.

(2) The costs of projects not involving federal aid shall be borne by the sponsor and the state. The state shall pay not more than 80% of such costs, which may include the cost of the land, the cost of lands or interest in lands deemed necessary for the protection of the aerial approaches, the cost of formulating the project application and preparing the plans and specifications, and the cost of construction and of all facilities deemed necessary for the operation of the airport. The state shall not contribute more than \$100,000 for the cost of a building project or building improvement project and no part of the cost of hangars. ~~This subsection does not apply to the costs of projects to improve a public use airport under s. 114.002 (18m) (b) or (c).~~

Vetoed
in Part

~~SECTION 1730m. 115.28 (7s) of the statutes is created to read:~~

~~115.28 (7s) CERTIFICATION OF ATHLETIC ASSOCIATIONS. Certify any athletic association to which a public school belongs. No athletic association may be certified unless it allows private schools to join the association as members and allows the private school members to participate as members of a conference during regular season play and in postseason tournaments. Nothing in this subsection prevents an athletic association from adopting uniform rules and regulations governing its affairs, including provision for suspension of schools or their students from the athletic association for violations of those rules or regulations.~~

SECTION 1741m. 115.28 (23) of the statutes is created to read:

115.28 (23) WISCONSIN EDUCATIONAL OPPORTUNITY PROGRAM. Administer a Wisconsin educational opportunity program to assist minority and economically disadvantaged youth and adults in pursuing higher education opportunities. The program shall consist of the following separate components:

(a) A talent search program which shall provide information to youths and adults about postsecondary education and counseling to aid pupils in defining educational goals, applying and enrolling in postsecondary institutions and obtaining financial aid.

(b) A talent incentive program which shall provide supplemental aid to financially needy pupils to promote attendance at postsecondary institutions.

(c) An early identification program which shall provide services to pupils under s. 115.44.

SECTION 1741s. 115.343 of the statutes is created to read:

115.343 Wisconsin morning milk program. (1) The department shall establish a morning milk program which shall provide for the payment under sub. (3) for beverages for all children who meet the criteria specified in sub. (2) and who are enrolled in a public school in kindergarten to grade 5. The program shall offer

Vetoed
in Part

each eligible child a pint of Wisconsin produced whole milk, one percent milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. ~~Any school district which participates in the morning milk program under this section is encouraged to consider bids from local milk producers. Any such school district shall keep all information related to the identity of the pupils who receive a beverage under the morning milk program confidential.~~ **Vetoed in Part**

(2) A child who is enrolled in a ~~public~~ school in kindergarten to grade 5 is eligible to receive a beverage specified in sub. (1) if all of the following apply: **Vetoed in Part**

(a) The child does not receive the beverage through the federal special milk program under 42 USC 1772 (b).

(b) The child meets the income eligibility standard for a free lunch in the federal school lunch program under 42 USC 1758 (b).

(3) The department shall make payments to school ~~districts~~ for the full costs of beverages under sub. (1) served to children eligible under sub. (2) in the prior year from the appropriation under s. 20.255 (2) (cp). **Vetoed in Part**

(4) In addition to the milk served by a school ~~district~~ under this section, a school ~~district~~ may provide subsidies for beverages specified under sub. (1) for children who do not meet the criteria under sub. (2). The department shall promulgate rules establishing procedures for the proration of any amounts remaining in the appropriation under s. 20.255 (2) (cp) in any fiscal year for payments to school ~~districts~~ for beverages specified under sub. (1) served by school ~~districts~~ to children who do not meet the eligibility criteria specified in sub. (2) but who do meet the income eligibility standard for a reduced-price lunch in the federal school lunch program under 42 USC 1758 (b). **Vetoed in Part**

(5) The department shall maintain a separate count of the beverages under sub. (1) served by school ~~districts~~ for children who meet the eligibility criteria under sub. (2) and for any children who receive beverages under sub. (4). **Vetoed in Part**

SECTION 1742. 115.367 (3) (a) of the statutes is repealed.

SECTION 1742m. 115.39 of the statutes is created to read:

115.39 Administrative leadership academy. The department may establish and maintain an administrative leadership academy to enhance the knowledge and skills of mid-career school district administrators and principals. The department shall establish and charge a fee for participation in the administrative leadership academy. The moneys from the fee payments shall be credited to the appropriation under s. 20.255 (1) (hf).

SECTION 1742r. 115.405 of the statutes is created to read:

115.405 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) (fp). 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.

(4) This section does not apply on or after July 1, 1988.

SECTION 1743. 115.41 of the statutes is created to read:

115.41 Teacher improvement program. The state superintendent shall operate a program to provide prospective teachers with one-semester internships under the supervision of licensed teachers. The program may also fund in-service activities and professional staff development research projects. The state superintendent shall charge school districts fees for participation in the program. Program costs shall be paid from the appropriation under s. 20.255 (1) (hg).

SECTION 1743m. 115.44 of the statutes is created to read:

115.44 Early identification program. (1) The state superintendent shall establish an early identification

program as part of the Wisconsin educational opportunity program under s. 115.28 (23). Early identification program costs shall be paid from the appropriation under s. 20.255 (1) (fw). The early identification program shall assist minority and economically disadvantaged pupils in grades 8 to 12 in pursuing higher educational opportunities by providing direction toward attainment of career goals.

(2) Biennially, the state superintendent shall provide the governor and any appropriate standing committee of the legislature information on the performance of the early identification program and the postsecondary educational progress of the pupils who were enrolled in the program. The information shall include the number and ethnic backgrounds of the pupils who were enrolled in the program and college acceptance, retention and graduation rates of the pupils.

SECTION 1744. 115.53 (1) of the statutes is repealed.

SECTION 1745. 115.53 (6) of the statutes is created to read:

115.53 (6) Charge the school district responsible for a pupil's placement in a school under this subchapter for the costs of transporting the pupil to and from the pupil's home on weekends. All fees received under this subsection shall be deposited in the appropriation under s. 20.255 (1) (gt).

SECTION 1746. 115.75 (1) (a) of the statutes is amended to read:

115.75 (1) (a) Subject to the requirements of par. (b), each alternative school operating an American Indian language and culture education program under this subchapter shall receive state aid, from the appropriation under s. 20.255 (2) (1) (cw), in an amount equal to \$110 for each pupil who has completed the fall semester in the program.

SECTION 1747. 115.75 (3) of the statutes is amended to read:

115.75 (3) If the appropriation under s. 20.255 (2) (1) (cw) in any year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the alternative schools entitled to such aid.

~~SECTION 1747m. 115.77 (3) (b) of the statutes is repealed.~~ **Vetoed in Part**

SECTION 1748e. 115.88 (1) (intro.) of the statutes is amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to 63% of an amount equal to the reimbursement percentage determined under sub.

(10) (c) multiplied by the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any authorized contract for physical or occupational therapy services, except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the appropriation under s. 20.255 (2) (b).

SECTION 1748m. 115.88 (1) (b) of the statutes is amended to read:

115.88 (1) (b) Salaries of senior level school psychologists and senior level school social workers shall be reimbursed at ~~51%~~ the reimbursement percentage determined under sub. (10) (c) without regard to whether they are employed in a program for handicapped children. The school district, county handicapped children's education board or cooperative educational service agency shall include in the report under s. 115.84 any information required by the state superintendent relating to use of a school psychologist or school social worker.

SECTION 1748s. 115.88 (2) of the statutes is amended to read:

115.88 (2) TRANSPORTATION AID. If upon receipt of the report under s. 115.84 the state superintendent is satisfied that the transportation of children with exceptional educational needs has been maintained during the preceding year in accordance with the law, the state superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency or school district transporting such pupils ~~63% of an amount equal to the reimbursement percentage determined under sub. (10) (c)~~ multiplied by the amount expended for such transportation. Pupils for whom aid is paid under this subsection shall not be eligible for aid under s. 121.58 (2) or (4). The department of administration shall pay such amounts to the county, agency or school district from the appropriation under s. 20.255 (2) (b). This subsection applies to any child with exceptional educational needs who requires special assistance in transportation, including any such child attending regular classes who requires special or additional transportation. This subsection does not apply to any child with exceptional educational needs attending regular or special classes who does not require any special or additional transportation.

SECTION 1749. 115.88 (7) (b) of the statutes is amended to read:

115.88 (7) (b) ~~State That portion of state tuition payments received for services provided to children with exceptional educational needs attributable to the special annual tuition rate under s. 121.83 (1) (c),~~ 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 1749c. 115.88 (10) of the statutes is created to read:

115.88 (10) REIMBURSEMENT PERCENTAGE. (a) Costs under subs. (3) to (6) shall be fully reimbursed.

(b) The costs under subs. (1) (intro.) and (b) and (2) and ss. 115.93 (1) and (1m) and 118.255 (4) shall be reimbursed as provided in par. (c).

(c) The amounts remaining in the appropriation under s. 20.255 (2) (b) after subtracting the payments reimbursed under par. (a) shall be distributed such that the costs under subs. (1) (intro.) and (2) and ss. 115.93 (1) and (1m) and 118.255 (4) are reimbursed at a percentage rate which is 1.2353 times the percentage rate used to reimburse costs under sub. (1) (b).

SECTION 1749g. 115.881 of the statutes is repealed.

SECTION 1749h. 115.93 (1) of the statutes is amended to read:

115.93 (1) ~~Except as provided under sub. (2), if~~ If, upon receipt of the reports under s. 115.92 (2), the state superintendent is satisfied that the school age parents program has been maintained during the preceding school year in accordance with the rules under s. 115.92 (3), he or she shall certify to the department of administration in favor of each school district maintaining the program ~~a sum equal to 63% of an amount equal to the reimbursement percentage determined under s. 115.88 (10) (c)~~ multiplied by the amount expended by the school district during the preceding school year for 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 1749j. 115.93 (1m) of the statutes is amended 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~~ 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 an amount equal to the reimbursement percentage determined under s. 115.88 (10) (c)~~ multiplied by 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 1749L. 115.93 (2) of the statutes is repealed.

~~SECTION 1749m. Subchapter VIII of Chapter 115 of the statutes is created to read:~~ **Vetoed in Part**

Vetoed
in Part

CHAPTER NS
SUBCHAPTER VIII
CHILDREN WITH SPECIAL
HEALTH CARE NEEDS

115.998 Children with special health care needs. (1) DEFINITIONS. In this subchapter:

(a) "Child with special health care needs" means an individual under the age of 21 years who has a chronic condition.

(b) "Chronic condition" means a physical disability that restricts a child's physical development or ability to engage in regular childhood activities, and that may create psychological or emotional problems for the child. "Chronic condition" includes spina bifida, cleft lip or palate, diabetes, kidney disease, leukemia, asthma, sickle cell anemia, cystic fibrosis, cerebral palsy and heart disease.

(c) "Division" means the division for handicapped children and pupil services in the department.

(2) DIVISION DUTIES. The division shall:

(am) Upon the request of federal or state authorities, submit a plan for a state program for children with special health care needs and such reports on the programs as the authorities require.

(b) Recommend to the state superintendent standards for health care for children with special health care needs and minimum qualifications for personnel engaged in providing such care.

(c) Coordinate the delivery of health care services for children with special health care needs with school districts, cooperative educational service agencies, county handicapped children's education boards, private schools, state-operated programs, social service agencies and health care providers.

(d) Train personnel engaged in providing health care services to children with special health care needs.

(3) RECEIPT OF FEDERAL AID. Any federal aid made available to the department for children with special health care needs shall be granted to the division for carrying out plans approved by the federal agency having supervision of the aid program.

Vetoed
in Part

SECTION 1750m. 116.08 (1) of the statutes is amended to read:

116.08 (1). An amount not to exceed \$25,000 \$12,500 annually shall be paid to each agency for the maintenance and operation of the office of the board of control and agency administrator and to match any federal funds received by the agency for vocational education administration. No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.

SECTION 1751. 118.07 (3) of the statutes is repealed.

SECTION 1752. 118.125 (2) (i) of the statutes is amended to read:

118.125 (2) (i) The district board of the vocational, technical and adult education district in which the public school is located, or the department of health and social services or a county department under s. 46.215, 46.22 or 46.23 for verification of eligibility for public assistance under ch. 49, shall, upon request, be provided by the school district clerk with the names of pupils who have withdrawn from the public school prior to graduation under s. 118.15 (1) (c).

SECTION 1752m. 118.153 (1) (a) of the statutes is amended to read:

118.153 (1) (a) "Children at risk" means dropouts, pupils who have been absent from school without acceptable excuses under s. 118.15 (1) (b) ~~to~~ or (d) or (3), pupils who are parents and pupils who have been adjudicated delinquent, who are also one or more years behind their age group in the number of credits attained or in basic skill levels.

Vetoed
in Part

SECTION 1752p. 118.153 (1) (b) of the statutes is renumbered 118.153 (1) (b) (intro.) and amended to read:

118.153 (1) (b) (intro.) "Dropout" means a child who ceased to attend school, ~~continues to reside in the school district for at least 20 consecutive school days, does not attend a public, or private or vocational, technical and adult education district school or home-based private educational program on a full-time basis, and has not graduated from high school and does not have an acceptable excuse under s. 118.15 (1) (b) to (d) or (3).~~ "Dropout" does not include any pupil.

Vetoed
in Part

SECTION 1752q. 118.153 (1) (b) 1 to 3 of the statutes are created to read:

- 1. Attending a vocational, technical and adult education school under s. 118.15 (1) (b).
- 2. Provided with program or curriculum modifications under s. 118.15 (1) (d).
- 3. Excused by the school board under s. 118.15 (3).

SECTION 1754qm. 118.255 (4) of the statutes is amended to read:

118.255 (4) If the state superintendent is satisfied that the health treatment services program has been maintained during the preceding school year in accordance with law he or she shall certify to the department of administration in favor of each school board, cooperative educational service agency and county handicapped children's education board maintaining such health treatment services, an amount equal to 63% of the reimbursement percentage determined under s. 115.88 (10) (c) multiplied by the amount expended for items listed in s. 115.88 (1) by the school board, cooperative educational service agency and county handicapped children's education board during the preceding year for these health treatment services. The department of administration, upon such certification shall distribute the amounts to

the appropriate school board, cooperative educational service agency and county handicapped children's education board.

SECTION 1754r. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (15), 115.34, 115.343, 115.345, 118.01 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.18, 118.19 (3) (b) and (7), 118.20, 118.24 (2) (c) to (f), 118.255, 118.30 to 118.35, 120.12 (15) ~~and (17) and (18)~~ and 120.13 (1), (2) (b) to (f), (14), (17) to (19) and (26) are applicable to a 1st class city school district and board.

Vetoed in Part

SECTION 1754u. 119.48 (3) (a) of the statutes is amended to read:

119.48 (3) (a) The school construction fund taxes in any one year shall not exceed the levy rate specified in s. 65.07 (1) (f), unless the decision to exceed the levy rate specified in s. 65.07 (1) (f) is approved through the voter referendum procedure specified in sub. (4). Any such approval is applicable only for one year.

SECTION 1754v. 119.48 (4) of the statutes is created to read:

119.48 (4) (a) If the board deems it necessary to exceed the levy rate specified under s. 65.07 (1) (f), it may by a two-thirds vote of the members-elect include a communication to the common council as part of the budget transmitted to the common council under s. 119.16 (8) (b).

(b) The communication shall state the purposes for which the funds from the increase in the levy rate will be used and shall request the common council to submit to the voters of the city the question of exceeding the levy rate specified in s. 65.07 (1) (f) at the September election or a special election.

(c) Upon receipt of the communication, the common council shall cause the question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the September election or at a special election. The question of exceeding the levy rate specified under s. 65.07 (1) (f) shall be submitted upon a separate ballot or in some other manner so that the vote upon exceeding the levy rate specified in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters. If a majority of the electors voting on the question favors exceeding the levy rate specified under s. 65.07 (1) (f), the common council shall approve the increase in the levy rate and shall levy and collect a tax equal to the amount of money approved by the electors.

Vetoed in Part

~~SECTION 1755b. 119.49 (title) of the statutes is amended to read:~~

~~119.49 (title) **Band issues and borrowing on promissory notes.**~~

~~SECTION 1755c. 119.49 (6) of the statutes is created to read:~~

~~119.49 (6) In addition to the authority granted to the board under sub. (1) (a), the board may adopt a~~

~~resolution by a two-thirds vote of the members-elect to issue promissory notes as provided under s. 67.12 (12). The board shall send a communication to the common council, as part of the budget transmitted to the common council under s. 119.16 (8) (b), specifying the purposes and the amount of the promissory note, the instalments and rate of interest, and the direct annual irrepeatable tax sufficient to pay each instalment and the interest, as it becomes due and payable. Upon receipt of the communication, the common council shall levy and collect a tax upon all taxable property in the city, in the same manner and at the same time as other taxes are levied and collected, which shall be equal to the amounts required by the board to repay the note as it becomes due.~~

Vetoed in Part

~~SECTION 1755cm. 119.51 of the statutes is created to read:~~

~~119.51 **Disbursement of children-at-risk money.** Of the amounts received by the board for the children-at-risk program under s. 118.153 (4) (b), \$60,000 in each fiscal year shall be used to fund coordinator positions to do all of the following:~~

Vetoed in Part

~~(1) Provide support services to schools within the school district which have the highest dropout rates in the school district.~~

~~(2) Provide support services to single-parent pupils within the school district.~~

~~(3) Provide services to children who meet the requirements under s. 49.50 (7) (g) if a federal waiver is in effect under s. 49.50 (7) (j).~~

~~SECTION 1755cp. 119.75 of the statutes is created to read:~~

~~119.75 **Site-based management program.** (1) In this section, "school" means a public school within a 1st class city which provides an educational program for one or more grades between grades 1 and 12 and which is commonly known as an elementary school, middle school, junior high school, senior high school or high school.~~

Vetoed in Part

~~(2) (a) The board may establish a site-based management program within a 1st class city school district. The purpose of the program is to decentralize decision-making authority from the central administrative office to the school building level.~~

~~(b) In administering the site-based management program, the board shall do all of the following:~~

~~1. Set educational standards, goals and performance outcomes.~~

~~2. Set curriculum and staffing standards.~~

~~3. Set general fiscal standards for budget allocations.~~

~~4. Review and approve site-based management plans submitted by the school site-based management councils established under sub. (5) (b). If the board determines that a plan cannot be approved as submitted, the board shall describe to the school, in writing, the necessary modifications needed for board approval and the school shall be permitted to resubmit a modified plan.~~

Vetoed
in Part

~~s. As specified under pars. (c) and (d), allocate funding to schools which participate in the site-based management program.~~

~~(c) If the board establishes a program under par. (a), the board shall allocate all moneys received by the board from the appropriation under s. 20.255 (2) (fs) to the schools which participate in the site-based management program, as specified in sub. (6).~~

~~(d) If the board establishes a program under par. (a), the board shall do all of the following:~~

~~1. Establish categories of pupils which shall include, but not be limited to, all of the following:~~

- ~~a. At risk~~
- ~~b. Bilingual~~
- ~~c. Visually handicapped~~
- ~~d. Physically handicapped~~
- ~~e. Deaf and hard of hearing~~
- ~~f. Learning disabilities~~
- ~~g. Emotionally disturbed~~
- ~~h. Mentally retarded~~
- ~~i. Free or reduced-price lunch eligibility~~
- ~~j. Other pupils~~

~~2. Determine how much it costs to educate each pupil in the categories established under subd. 1.~~

~~3. Beginning in the 1988-89 school year, allocate all moneys other than those specified in par. (c) to schools which participate in the site-based management program based on the cost per pupil determinations made under subd. 2.~~

~~(3) The board may designate up to 15 schools to participate in the site-based management program during the 1987-88 and 1988-89 school years.~~

~~(4) The board shall submit a report on the progress of the site-based management program to the department of public instruction and to the chairperson of the appropriate standing committee in each house of the legislature by October 1, 1988.~~

~~(5) (a) Each school which is designated to participate in a site-based management program shall form a council which shall consist of all of the following:~~

- ~~1. The school principal~~
- ~~2. Representatives of the school's faculty~~
- ~~3. Parents of pupils who are enrolled in the school~~
- ~~4. Pupils who are enrolled in the school, if appropriate~~
- ~~5. Community representatives~~

~~(b) The council shall prepare a site-based management plan for the school which determines the school's curriculum, staffing and budget allocation based on guidelines and general fiscal standards established by the board under sub. (2) (b). The plan shall be submitted to the board for approval under sub. (2) (b) 4. The school shall provide site-based management training for the school principal, faculty, parents and community representatives and conduct evaluations of the program with funds received from the board under s. 20.255 (2) (fc). The school may con-~~

~~tract with consultants for the provision of any training or evaluation under this paragraph.~~

~~(6) If the board establishes a site-based management program under sub. (2), it shall receive the amount appropriated under s. 20.255 (2) (fs). Of the total amount received, the board shall allocate to each school participating in the site-based management program, an amount which is based on the school's proportionate share of the total pupil enrollment of the schools participating in the site-based management program during the 1987-88 and 1988-89 school years. The funds shall be used for the purposes specified under sub. (5) (b) and for instructional materials, substitute teachers' salaries and teacher overtime which are related to the program.~~

~~SECTION 1755Lm. 120.12 (18) of the statutes is created to read:~~

~~120.12 (18) BEFORE AND AFTER SCHOOL DAY CARE. Provide the use of school rooms to day care providers, at a reasonable charge to cover maintenance costs, before and after school hours for before and after school day care programs.~~

~~SECTION 1755m. 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 current prior year under s. 121.06 (2), excluding value adjustments made under s. 70.57 (1) resulting from appeals made under s. 70.995.~~

~~SECTION 1757. 121.008 of the statutes, as created by 1985 Wisconsin Act 29, is repealed.~~

~~SECTION 1759. 121.02 (1) (f) 2 of the statutes is amended to read:~~

~~121.02 (1) (f) 2. Annually, schedule at least \$25 437 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 1760. 121.02 (1) (k) of the statutes is renumbered 121.02 (1) (k) 1 and amended to read:~~

~~121.02 (1) (k) 1. Develop By September 1, 1988, develop a written, sequential curriculum plan that includes in at least 3 of the following subject areas: reading, 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 1761. 121.02 (1) (k) 2 and 3 of the statutes are created to read:~~

~~121.02 (1) (k) 2. By September 1, 1989, develop a written, sequential curriculum plan in at least 3 additional subject areas specified in subd. 1.~~

Vetoed
in Part

Vetoed
in Part

3. By September 1, 1990, develop a written, sequential curriculum plan in all of the remaining subject areas specified in subd. 1.

SECTION 1762m. 121.03 of the statutes is renumbered 115.45, and 115.45 (6) (b), (7) and (8), as renumbered, are amended to read:

115.45 (6) (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 provide summary data on the results of the annual testing required under sub. (4) (b) and 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 if within 14 working days after the date of receiving the report under sub. (6) (b) the cochairpersons of the joint committee on finance approves the budget report under sub. (6) (b) do not notify the state superintendent that the committee has scheduled a meeting for the purpose of reviewing the budget report, the grants may be awarded from the appropriation under s. 20.255 (2) (do) as proposed by the state superintendent under sub. (3). If within 14 working days after the date of receiving the report under sub. (6) (b) the cochairpersons of the joint committee on finance notify the state superintendent that the committee has scheduled a meeting for the purpose of reviewing the budget report, the grant amounts under sub. (3) may be awarded only upon approval of the joint committee on finance.~~

(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 in an amount not to exceed \$250,000 each school year and, beginning in the 1987-88 school year, the city of Beloit school district is eligible to receive grants under this section in an amount not to exceed \$30,000 each school year.

~~SECTION 1762o. 121.05 (1) (a) (intro.) of the statutes is amended to read:~~

~~121.05 (1) (a) (intro.) The average of the number of pupils enrolled on the 3rd Friday of September and the 2nd Friday of January and the first Friday in May of the previous school year, including~~

SECTION 1762p. 121.05 (1) (a) 7 of the statutes is created to read:

121.05 (1) (a) 7. Pupils enrolled in a nonsectarian private school or program which is located within a 1st class city school system under s. 118.15 (1) (d) 4.

~~SECTION 1762r. 121.05 (3) of the statutes is amended to read:~~

~~121.05 (3) If a school district is unable to hold school on either any of the 2 3 dates specified in sub.~~

~~(1) (a) the state superintendent shall designate alternative membership counting dates.~~ **Vetoed in Part**

SECTION 1764. 121.07 (1) (d) of the statutes is created to read:

121.07 (1) (d) At the end of the school year, the department shall adjust state aid payments according to the actual shared cost of the school district for that school year.

SECTION 1765m. 121.07 (6) (b) of the statutes is amended to read:

121.07 (6) (b) The "primary ceiling cost per member" is 110% of the state shared cost divided by the membership for the school year previous to the school year used for aid computation, as determined by the state superintendent shall be \$3,860 in the 1987-88 school year and \$4,090 in each school year thereafter, except as provided in s. 121.23.

SECTION 1766c. 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 next lowest dollar, that, after subtraction of payments under ss. 118.153 (4) (b), 121.09 and 121.85 (6) (b) 2 and 3 and (c), fully distributes the amount remaining in the appropriation under s. 20.255 (2) (ac) for payments under ss. 121.08, 121.10, 121.105, 121.135, 121.85 (6) (a) and (g) and 121.86 (2).

SECTION 1766g. 121.07 (7) (b) of the statutes is amended to read:

121.07 (7) (b) The "secondary guaranteed valuation per member" shall be an amount rounded to the nearest \$100 next lowest dollar determined by multiplying the equalized valuation of the state by 1.06 and dividing the result obtained by the state total membership.

SECTION 1766j. 121.07 (7) (c) of the statutes is amended to read:

121.07 (7) (c) For districts operating only high school grades, the amounts in pars. (a) and (b) shall be multiplied by 3 and rounded to the nearest \$100 next lowest dollar.

SECTION 1766L. 121.07 (7) (d) of the statutes is amended to read:

121.07 (7) (d) For districts operating only elementary grades, the amounts in pars. (a) and (b) shall be multiplied by 1.5 and rounded to the nearest \$100 next lowest dollar.

SECTION 1766Lm. 121.08 (3) of the statutes is created to read:

121.08 (3) (a) In this subsection, "school district" means a 1st class city school system.

(b) The aid computed under sub. (1) shall be reduced by the amount by which the aid that the school district is receiving under sub. (1) as a result of the number of pupils reported as enrolled in the school district under s. 121.05 (1) (a) 7 exceeds the amount paid by the school district for tuition for those pupils.

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 1766m. 121.10 (1) (b) of the statutes is amended to read:

121.10 (1) (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), excluding any amount provided under subch. VI 121.08 and 121.085.~~

Vetoed
in Part

~~SECTION 1766n. 121.10 (2) (a) of the statutes is amended to read:~~

~~121.10 (2) (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 \$225 in the 1986-87 school year and \$250 in each school year thereafter by the membership.~~

~~SECTION 1766o. 121.10 (2) (b) of the statutes is amended to read:~~

~~121.10 (2) (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 \$135 in the 1986-87 school year and \$150 in each school year thereafter by the membership.~~

~~SECTION 1766p. 121.10 (2) (c) of the statutes is amended to read:~~

~~121.10 (2) (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 \$225 in the 1986-87 school year and \$250 in each school year thereafter by the membership.~~

~~SECTION 1766s. 121.10 (3) of the statutes is created to read:~~

~~121.10 (3). Notwithstanding sub. (2), a school district may not receive minimum aid under this section beginning in the 1988-89 school year if that school district was not eligible to receive minimum aid under this section in the 1987-88 school year. If any school district which is eligible to receive minimum aid under this section in the 1987-88 school year does not receive this aid in the 1988-89 school year or a subsequent school year, that school district shall no longer be eligible to receive minimum aid under this section.~~

SECTION 1766x. 121.105 (1) of the statutes is amended to read:

121.105 (1) In this section "state aid" means the sum of the payments provided to a school district under this section and ss. 20.255 (2) (ac) and (an) and

~~20.835 (3) (e) 121.08, 121.085, 121.10, 121.85 and 121.86.~~

SECTION 1766xm. 121.105 (2) (b) 1 of the statutes is amended to read:

121.105 (2) (b) 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~~ 1.35 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.

SECTION 1766xp. 121.135 (1) of the statutes is amended to read:

121.135 (1) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that any children enrolled and participating in a special education program provided by a county handicapped children's education board under this subchapter and not counted as pupils enrolled under s. 121.05 are receiving the substantial equivalent of an elementary or high school education from those services, the superintendent shall certify to the department of administration from the appropriation under s. 20.255 (2) (ac) in favor of the county handicapped children's education board providing those services the amount specified determined under sub. (2) for each pupil enrolled, except as provided under sub. (3). Enrollment for aid purposes shall be determined in accordance with s. 121.05.

SECTION 1766xs. 121.135 (2) of the statutes is repealed and recreated to read:

121.135 (2) (a) In this subsection:

1. "Average general aid per member" means the amount of aid per member that a school district would receive under ss. 121.08 and 121.085 if its membership included each pupil who is a resident of the district and solely enrolled in a special education program provided by a county handicapped children's education board and the district's shared costs were increased by the average per pupil costs of the county handicapped children's education board program for each pupil who is solely enrolled in the county handicapped children's education board program.

2. "Average per pupil costs of the county handicapped children's education board program" means the gross cost of the county handicapped children's education board program minus all nonduplicative receipts except property taxes and state aid paid under this section in the previous school year, divided by the number of pupils enrolled in the county handicapped children's education board program.

3. "Pupils enrolled in the county handicapped children's education board program" means the sum of the pupils counted under s. 121.05 (1) (a) 1 and pupils who are receiving services from the county handicapped children's education board under sub. (1).

(b) For each pupil who is solely enrolled in a special education program provided by a county handicapped children's education board, the county handicapped children's education board is entitled annually to an amount equal to the average general aid per member of the school district in which the pupil resides.

(c) If a school district is eligible for minimum aid under s. 121.10, the county handicapped children's education board shall be eligible to receive a minimum aid amount calculated as follows: the applicable dollar amount under s. 121.10 is multiplied by each pupil who is solely enrolled in the county handicapped children's education board program and who is a resident of the school district which is eligible for minimum aid.

SECTION 1766y. 121.15 (1) (a) of the statutes is amended to read:

121.15 (1) (a) Each school district shall receive ~~one-sixth~~ 15% of its total aid entitlement in September, ~~one-third~~ 25% of its total aid entitlement in December, ~~one-sixth~~ 25% of its total aid entitlement in March and ~~one-third~~ 35% of its total aid entitlement in June.

SECTION 1773. 121.15 (1) (d) of the statutes is created to read:

121.15 (1) (d) Any aid adjustment for the previous year required under s. 121.07 (1) (d) shall be made by increasing or decreasing the payment made in June.

SECTION 1774m. 121.15 (1) (e) of the statutes is amended to read:

121.15 (1) (e) Payments under this subsection shall be made on the first Monday of the month for the December payment, on the 3rd Monday of the month for the September payment and June payments and on the 4th Monday of the month for the ~~other payments~~ March payment.

SECTION 1775. 121.15 (4) of the statutes is amended to read:

121.15 (4) On July 1 and October 1 ~~of 1985 and 1986, using the most accurate data available,~~ 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 1780c. 125.07 (3) (a) 10 of the statutes is amended to read:~~

~~125.07 (3) (a) 10. An Except as provided in par. (am) 2, an underage person who enters or remains on Class "B" or "Class B" licensed premises on a date specified by the licensee or permittee during times when no alcohol beverages are consumed, sold or given away. During those times, the licensee, the agent named in the license if the licensee is a corporation or a person who has an operator's license shall be on the premises unless all alcohol beverages are stored in a locked portion of the premises. The licensee shall notify the local law enforcement agency, in advance,~~

Vetoed in Part

~~of the times underage persons will be allowed on the premises under this subdivision.~~

~~SECTION 1780r. 125.07 (3) (am) of the statutes is created to read:~~

~~125.07 (3) (am) Local option. 1. A municipality may, by ordinance, provide that par. (a) 10 does not apply in that municipality.~~

~~2. An underage person may not enter or remain on Class "B" or "Class B" premises under the circumstances described in par. (a) 10 if the premises are in a municipality which has enacted an ordinance under subd. 1.~~

~~SECTION 1780u. 125.07 (3) (b) of the statutes is amended to read:~~

~~125.07 (3) (b) Penalties. A licensee or permittee who directly or indirectly permits an underage person to enter or be on a licensed premises in violation of par. (a) or (am) is subject to a forfeiture of not more than \$500.~~

~~SECTION 1780y. 125.07 (4) (a) 3 of the statutes is amended to read:~~

~~125.07 (4) (a) 3. Enters, knowingly attempts to enter or is on licensed premises in violation of sub. (3) (a) or (am).~~

SECTION 1781. 125.08 (2) (d) of the statutes is amended to read:

125.08 (2) (d) Fees. The fee for an identification card is \$3 ~~4~~. The fee for a duplicate card is \$5. The issuing officer shall deposit the fees in the treasury of the county or municipality.

~~SECTION 1781d. 125.26 (4m) of the statutes is created to read:~~

~~125.26 (4m) If a municipality renews a Class "B" license, it may not impose a charge for the late payment of the fee under sub. (4) if the fee is paid before the license being renewed expires.~~

SECTION 1782. 125.32 (3) (c) of the statutes is amended to read:

125.32 (3) (c) Hotels and restaurants whose principal business is the furnishing of food and lodging to patrons, bowling alleys, indoor horseshoe-pitching facilities, curling clubs and golf courses may remain open for the conduct of their regular business but may not sell fermented malt beverages during the hours specified in par. (a).

~~SECTION 1782g. 125.51 (3) (em) of the statutes is created to read:~~

~~125.51 (3) (em) If a municipality renews a "Class B" license, it may not impose a charge for the late payment of the fee under par. (e) if the fee is paid before the license being renewed expires.~~

SECTION 1782r. 125.51 (4) (n) of the statutes is created to read:

125.51 (4) (n) Notwithstanding its quota, a village may issue a license for a hotel owned by an American Indian tribe.

SECTION 1782t. 125.51 (4) (o) of the statutes is created to read:

Vetoed in Part

Vetoed in Part

Vetoed in Part

125.51 (4) (o) Notwithstanding its quota, a village may issue a license for a motel located on a lake which is the headwaters of a river which is part of the border between this state and Minnesota.

Vetoed in Part SECTION 1782v. 125.51 (4) (p) of the statutes is created to read:

~~125.51 (4) (p) Notwithstanding its quota, a town which borders on a lake, is adjacent to a 2nd class city and is located in a county with a population of 300,000 or more may issue a license for a tavern which is covered by a Class "B" license on the effective date of this paragraph ... [revisor inserts date], if the tavern is not located within 500 feet of a lake.~~

SECTION 1784. 125.68 (4) (c) 4 of the statutes is amended to read:

125.68 (4) (c) 4. Hotels and restaurants whose principal business is the furnishing of food, drinks or lodging to patrons, bowling alleys, indoor horseshoe-pitching facilities, curling clubs and golf courses may remain open for the conduct of their regular business but may not sell intoxicating liquor during the closing hours mentioned in this paragraph.

SECTION 1784a. 130.06 of the statutes is amended to read:

130.06 Regulation by cities, villages and towns. The common council of any city and the board of trustees of any village or town board of any town may regulate by ordinances the sale by auction, within the meaning of this chapter, of goods, wares and merchandise, except household furniture which has been used as such, or other property within their respective cities, villages or towns; and thereby may prohibit, under proper penalties, any sales at auction therein by any person without license; require daily reports of any sales made, verified by affidavits, to be made by every auctioneer to the clerk of such city, village or town, require sufficient bonds from the licensee for compliance with any such ordinance, and the payment of a license fee of not less than \$10 nor more than \$25 per day, or when fixed by the year not less than \$10 nor more than \$300 per year, ~~in addition to any percentage they may fix, which shall not be less than 10 nor more than 20% upon the gross amount of sales made.~~ This section shall not apply when sale is made by virtue of a chattel mortgage or conditional sales contract or of a rule, order or judgment of a court, or of some law of the state or the United States respecting the collection of some tax or duty; or in consequence of a general assignment of property or effects for the benefit of creditors; or when made of property belonging to the state or of the United States; or when made by or on behalf of any executor or administrator; or when made of his farm property by or on behalf of a resident farmer who has paid the taxes lawfully levied on his property; or when made of farm personal property at a market licensed under s. 95.70.

SECTION 1784b. 138.09 (3) (e) of the statutes is amended to read:

138.09 (3) (e) A licensee may conduct, and permit others to conduct, at the location specified in its license, any one or more of the following businesses not subject to this section: A business engaged in making loans for business or agricultural purposes or exceeding \$25,000 in principal amount except that all such loans having terms of 49 months or more are subject to sub. (7) (gm) 2 or 4, a business engaged in making first lien real estate mortgage loans under ss. 138.051 to 138.06, a loan, finance or discount business under s. 218.01, or an insurance business, or a currency exchange under s. 218.05, or a seller of checks business under ch. 217; but merchandise shall not be sold at such location; and no other business shall be conducted at such location unless written authorization is granted the licensee by the commissioner.

SECTION 1784c. 138.09 (7) (bn) 1: (intro.) of the statutes is amended to read:

138.09 (7) (bn) 1. (intro.) A licensee may charge, contract for or receive a rate of interest, calculated according to the actuarial method, which may not exceed the greater of the following for a loan or forbearance of less than \$3,000 entered into on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987:~~

SECTION 1784g. 138.09 (7) (bn) 2. (intro.) of the statutes is amended to read:

138.09 (7) (bn) 2. (intro.) A licensee may charge, contract for or receive a rate of interest, calculated according to the actuarial method, which may not exceed the greater of the following for a loan or forbearance of \$3,000 or more entered into on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987:~~

SECTION 1784gg. 138.09 (7) (bn) 2m of the statutes is created to read:

138.09 (7) (bn) 2m. A licensee may charge, contract for or receive a rate of interest, calculated according to the actuarial method, which may not exceed the greater of the following for a loan or forbearance of less than \$5,000 entered into after October 31, 1990:

a. Twenty-three percent per year.

b. A rate of 6% in excess of the interest rate applicable to 2-year U.S. treasury notes as determined under subd. 3. a.

c. A rate of 6% in excess of the interest rate applicable to 6-month U.S. treasury bills as determined under subd. 3. b.

SECTION 1784gr. 138.09 (7) (bn) 3 and 4 of the statutes are amended to read:

138.09 (7) (bn) 3. a. For purposes of subds. 1. b ~~and~~, 2. b ~~and~~ 2m. b, the interest rate applicable to 2-year U.S. treasury notes for any calendar year quarter is the average annual interest rate determined by the last auction of the notes in the preceding calendar year quarter, increased to the next multiple of 0.5% if the average annual interest rate includes a fractional amount.

b. For purposes of subds. 1. c ~~and~~, 2. c and 2m. c, the interest rate applicable to 6-month U.S. treasury bills for any month is the average annual discount interest rate determined by the last auction of the bills in the preceding month, increased to the next multiple of 0.5% if the average annual discount interest rate includes a fractional amount.

4. Information regarding the amount of the maximum finance charge under subds. 1 ~~and 2~~ to 2m for any month or calendar year quarter shall be available at the office of the commissioner.

SECTION 1784nn. 138.09 (7) (bp) of the statutes is amended to read:

138.09 (7) (bp) A ~~precomputed~~ loan, whether precomputed or based upon the actuarial method, made after October 31, 1984 and before November 1, 1987 1990, is not subject to any maximum interest rate limit. A loan, whether precomputed or based upon the actuarial method, made on or after November 1, 1990, is not subject to any maximum interest rate limit if the amount of the loan is \$5,000 or more.

SECTION 1784r. 138.09 (7) (gm) 1. (intro.) of the statutes is amended to read:

138.09 (7) (gm) 1. (intro.) Upon prepayment in full of a loan entered into on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ and which has a term of less than 49 months, by cash, renewal, refinancing or otherwise, the borrower shall be entitled to a rebate of the unearned interest as provided in this paragraph. If the combined rebate of interest and credit insurance premiums otherwise required is less than \$1, no rebate need be made. The refunds shall be determined as follows:

SECTION 1784s. 138.09 (7) (gm) 2 of the statutes is amended to read:

138.09 (7) (gm) 2. Upon prepayment in full of a loan for personal, family, household or agricultural purposes, of \$25,000 or less, entered into on or after November 1, 1981 ~~and before the effective date of this subdivision~~ [revisor inserts date], and which has a term of 49 months or more and upon prepayment in full of any loan entered into on or after May 10, 1984 and before the effective date of this subdivision [revisor inserts date], and which has a term of more than 49 months, by cash, renewal, refinancing or otherwise, the borrower shall be entitled to a rebate of the unearned interest under s. 422.209 (2) (b). If the combined rebate of interest and credit insurance premiums otherwise required is less than \$1, no rebate need be made. If the first payment period is greater than one month and additional interest is charged under par. (c) 2, the additional interest is earned on the first instalment date and may not be considered in computing rebates.

SECTION 1784t. 138.09 (7) (gm) 3 of the statutes is created to read:

138.09 (7) (gm) 3. Upon prepayment in full of a loan of less than \$5,000 which is entered into on or after the effective date of this subdivision [revisor

inserts date], and which has a term of less than 37 months, by cash, renewal, refinancing or otherwise, the borrower shall be entitled to a rebate of the unearned interest as provided in this subdivision. If the combined rebate of interest and credit insurance premiums otherwise required is less than \$1, no rebate need be made. The refunds shall be determined as follows:

a. On a loan where the interest is precomputed and which is repayable in substantially equal successive instalments at approximately equal intervals, the amount of rebate shall be computed under s. 422.209 (2) (a) except for any additional interest charge under par. (c) 2.

b. For any other loan, the amount of the rebate of interest may not be less than the difference between the interest charged and the interest earned at the agreed rate, computed upon the unpaid principal balance.

c. If the first payment period is greater than one month and additional interest is charged under par. (c) 2, the additional interest is earned on the first instalment date and may not be considered in computing rebates.

SECTION 1784u. 138.09 (7) (gm) 4 of the statutes is created to read:

138.09 (7) (gm) 4. Upon prepayment in full of a loan of \$5,000 or more or a loan of less than \$5,000 if for a term of 37 months or more, entered into on or after the effective date of this subdivision [revisor inserts date], by cash, renewal, refinancing or otherwise, the borrower shall be entitled to a rebate of the unearned interest computed under s. 422.209 (2) (b) 1 or 2. The licensee may determine whether the rebate is computed under s. 422.209 (2) (b) 1 or 2. If the combined rebate of interest and credit insurance premiums otherwise required is less than \$1, no rebate need be made. If the first payment period is greater than one month and additional interest is charged under par. (c) 2, the additional interest is earned on the first instalment date and may not be considered in computing rebates.

SECTION 1784w. 138.12 (9) (bm) of the statutes is amended to read:

138.12 (9) (bm) Paragraph (b) applies only to a premium finance agreement in which the related insurance contract is for personal, family or household use entered into before November 1, 1984, ~~or after October 31, 1987.~~ The service charge for any other premium finance agreement shall be as agreed by the parties to the agreement.

~~SECTION 1784va. 139.11 (4) of the statutes is amended to read:~~

~~139.11 (4) CONFIDENTIALITY. Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a fermented malt beverage or intoxicating liquor tax return, report, schedule, exhibit or other document or from an audit report~~

Vetoed
in Part

Vetoed
in Part

relating to any of those documents, except that the department of revenue shall publish brewery production and sales statistics and shall publish or permit the publication of statistics on the total number of gallons of the types and brands of intoxicating liquor sold in this state.

SECTION 1784wab. 139.31 (1) (a) and (b) of the statutes are amended to read:

139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand, ~~12.5~~ 15 mills on each cigarette.

(b) On cigarettes weighing more than 3 pounds per thousand, 25 ~~30~~ mills on each cigarette.

Vetoed
in Part

~~SECTION 1784wag. 139.38 (6) of the statutes is amended to read:~~

~~139.38 (6) Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a cigarette tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.~~

Vetoed
in Part

~~SECTION 1784wb. 139.75 (4g) of the statutes is created to read:~~

~~139.75 (4g) "Enrolled member" has the meaning under s. 139.30 (4).~~

~~SECTION 1784wd. 139.75 (4m) of the statutes is created to read:~~

~~139.75 (4m) "Indian tribe" has the meaning under s. 139.30 (5).~~

~~SECTION 1784wf. 139.75 (6m) of the statutes is created to read:~~

~~139.75 (6m) "Reservation" has the meaning under s. 139.30 (9).~~

~~SECTION 1784wh. 139.76 (1) of the statutes is amended to read:~~

~~139.76 (1) An occupational excise tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose on or after October 1, 1981, of tobacco products by any person engaged as a distributor of them at the rate of 20% of the manufacturer's established list price to distributors without diminution by volume or other discounts on domestic products. On products imported from another country the rate of tax is 20% of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. The tax attaches at the time the tobacco products are received by the distributor in this state. The tax applies to distributors' floor stocks~~

~~in this state at the close of business on September 30, 1981.~~

~~SECTION 1784wi. 139.82 (6) of the statutes is amended to read:~~

~~139.82 (6) Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a tobacco product tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.~~

~~SECTION 1784wj. 139.82 (7) of the statutes is created to read:~~

~~139.82 (7) The department may inspect the business records of any retailer doing business on a reservation or on an Indian tribe's trust land.~~

~~SECTION 1784wm. 139.87 of the statutes is created to read:~~

~~139.87 Refunds to Indian tribes. The department shall refund 70% of the taxes collected under s. 139.76 (1) in respect to sales on reservations or trust lands of an Indian tribe to the tribal council of the tribe having jurisdiction over the reservation or trust land on which the sale is made if all the following conditions are fulfilled:~~

~~(1) The tribal council has filed a claim for the refund with the department.~~

~~(2) The tribal council has approved the retailer.~~

~~(3) The land on which the sale occurred was designated a reservation or trust land on or before January 1, 1983.~~

~~(4) The tobacco products were not delivered by the retailer to the buyer by means of a common carrier, a contract carrier or the U.S. postal service.~~

~~(5) The retailer has not sold the tobacco products to another retailer or to a subjobber.~~

~~SECTION 1784wp. 139.88 of the statutes is created to read:~~

~~139.88 Agreements with Indian tribes. The department may enter into agreements with Indian tribes to provide for the refunding of the tax imposed under s. 139.76 (1) on tobacco products sold on reservations to enrolled members of the tribe residing on the tribal reservation.~~

~~SECTION 1785. 140.05 (17) (d) (intro.) of the statutes is amended to read:~~

~~140.05 (17) (d) (intro.) Permits issued under this subsection expire on June 30, beginning July 1, 1988, the department may promulgate rules increasing or decreasing the fees under this paragraph. Except as provided in s. 50.535 (2) (d) and (e).~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 1786. 140.05 (17) (d) 2. (figure) of the statutes is amended to read:

Figure: 140.05 (17) (d) 2:

Establishment

Public swimming pool

Annual permit fee

~~\$ 45~~ \$ 90

Recreational and educational camp	45	50
Campgroup, camping resort or mobile home park		
With 1 to 25 sites	18	70
With 26 to 50 sites	36	90
With 51 to 100 sites	54	110
Over <u>With over</u> 100 sites	72	125

SECTION 1787. 140.05 (17) (e) of the statutes is created to read:

140.05 (17) (e) No permit may be issued under this subsection until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the permit applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees from the department, late fees and processing charges that are specified by rules promulgated by the department. If the permit applicant fails to pay all applicable fees, late fees and the processing charges within 15 days after the applicant receives notice of the insufficiency, the permit is void. In an appeal concerning voiding of a permit under this paragraph, the burden is on the permit applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed to be operation without a permit.

SECTION 1787m. 140.06 of the statutes is created to read:

140.06 Asbestos abatement certification. (1) DEFINITIONS. In this section:

(a) "Asbestos" means chrysotile, crocidolite, amosite, fibrous tremolite, fibrous actinolite or fibrous anthophyllite.

(b) "Asbestos abatement activity" means any activity which disturbs asbestos-containing material, including but not limited to the repair, enclosure, encapsulation or removal of asbestos-containing material and the renovation or demolition of any part of a structure.

(c) "Asbestos-containing material" means asbestos or any material or product which contains more than one percent of asbestos.

(d) "Asbestos management activity" means an inspection for asbestos-containing material, the design of an asbestos response action or the development of an asbestos management plan.

(e) "Fibrous" means having parallel sides and a length which is at least 3 times the diameter and which results in an aspect ratio of 3 to one or more.

(f) "Public employe" has the meaning given under s. 101.055 (2) (b).

(g) "School" means any local education agency, as defined in 20 USC 3381, the owner of any nonpublic, nonprofit elementary or secondary school building or

any governing authority of any school operated under 20 USC 921 to 932.

(2) CERTIFICATION REQUIREMENTS. (a) No person serving on the governing body of a school, employed by a school or acting under a contract with a school may perform any asbestos abatement activity or asbestos management activity unless he or she has a valid certification card issued to him or her under sub. (3).

(b) No public employe may perform any asbestos abatement activity unless he or she has a valid certification card issued to him or her under sub. (3).

(c) No public employe may supervise the performance of any asbestos abatement activity unless he or she has a valid supervisor's certification card issued to him or her under sub. (3).

(d) The department may establish by rule certification requirements for any person not certified under pars. (a) to (c) who performs any asbestos abatement activity or asbestos management activity or who supervises the performance of any asbestos abatement activity or asbestos management activity.

(3) CERTIFICATION PROCEDURE. (a) The department may establish by rule eligibility requirements for persons applying for a certification card required under sub. (2). Any training required by the department under this paragraph may be approved by the department or provided by the department under sub. (8).

(b) The department shall establish the procedure for issuing certification cards under this subsection. In establishing that procedure, the department shall prescribe an application form and establish an examination procedure and may require applicants to provide photographic identification.

(4) RENEWAL. A certification card issued under sub. (3) is valid for one year. The department may establish requirements for renewing such a card, including but not limited to additional training.

(5) FEES. (a) Except as provided under par. (b), the department shall charge the following fees for certification cards issued under sub. (3) or renewed under sub. (4):

1. For a certification card issued or renewed for the performance of any asbestos abatement activity, as required under sub. (2) (a), (b) or (d), \$50.

2. For a certification card issued or renewed for performance of an inspection for asbestos-containing material or the design of an asbestos response action, as required under sub. (2) (a) or (d), \$150.

3. For a certification card issued or renewed for supervising the performance of any asbestos abatement activity, as required under sub. (2) (c), \$100.

4. For a certification card issued or renewed for performance of the development of an asbestos management plan, as required under sub. (2) (a) or (d), \$100.

(b) The department may change by rule the fee amounts specified under par. (a). The fees received under this subsection shall be credited to the appropriation under s. 20.435 (1) (gm).

(6) **SUSPENSION OR REVOCATION.** The department may suspend or revoke a certification card issued under sub. (3) if it determines that the holder of the card is not qualified to be certified.

(7) **APPEALS.** Any suspension, revocation or nonrenewal of a certification card required under sub. (2) or any denial of an application for such a certification card is subject to judicial review under ch. 227.

(8) **TRAINING COURSES.** The department may conduct or contract for any training course necessary to prepare persons for a certification card required under sub. (2). The department may establish a fee for any course offered under this subsection. The fee may not exceed the actual cost of the course. The fees received under this subsection shall be credited to the appropriation under s. 20.435 (1) (gm).

(9) **RULES.** The department may promulgate any rule it deems necessary to administer this section.

(10) **ENFORCEMENT.** (a) The department may enter, at any reasonable time, any property, premises or place in which any person required to have a certification card under sub. (2) is engaged in any asbestos abatement activity to determine if the department has issued that person a valid certification card. No person may refuse entry or access to any representative of the department authorized by the department to act under this paragraph if that representative requests entry for purposes of determining compliance with this section, if that representative presents a valid identification issued to the representative by the department and if that representative is complying with par. (b). No person may obstruct, hamper or interfere with the actions of that representative under this paragraph.

(b) Any representative of the department acting under par. (a) shall comply with any health and safety procedure established by law for persons engaged in asbestos abatement activities.

(c) If the department determines that any person required to have a certification card under sub. (2) has violated this section, the department may order that person to cease the violation. The order may require all asbestos abatement activities on the premises where the violation occurs to cease until the violation is corrected if there is no person on the premises with a valid certification card issued to him or her under sub.

(3). The department shall give the order in writing to that person or that person's representative.

(d) Any other state agency, in the course of the performance of its duties, may determine compliance with the certification requirements of this section. If that agency determines that there is a violation of this section, it shall notify the department of that violation.

(e) The department may initiate an action in the name of this state against any person to require compliance with this section.

(11) **PENALTY.** Any person who violates this section or any rule promulgated or order issued under this section shall forfeit not less than \$25 nor more than \$100 for each violation. Each violation and each violation constitutes a separate offense.

SECTION 1788. 140.45 (1) (a) of the statutes is amended to read:

140.45 (1) (a) "Municipality" is means a county, city, village or town.

SECTION 1789. 140.45 (1) (b) of the statutes is repealed and recreated to read:

140.45 (1) (b) "Sanitarian" means an individual who, through education, training or experience in the natural sciences and their application and through technical knowledge of prevention and control of preventable diseases, is capable of applying environmental control measures so as to protect human health, safety and welfare.

SECTION 1790. 140.45 (2) of the statutes is amended to read:

140.45 (2) (title) **REGISTRATION QUALIFICATIONS.** In order to safeguard life, health and property, to promote public welfare and to establish the status of those persons whose duties in environmental sanitation call for knowledge of the ~~physical, the biological and social~~ natural sciences, the department may establish minimum standards and qualifications for the registration of sanitarians.

SECTION 1791m. 140.45 (3) of the statutes is repealed and recreated to read:

140.45 (3) **SANITARIANS; EMPLOYMENT OR CONTRACTUAL SERVICES.** Any pertinent agency of the state or any municipality may employ or contract for the services of sanitarians, registered under this section, who shall enforce the public health statutes or rules or, if employed or contracted by a municipality, ordinances, concerning environmental factors affecting human health, safety and welfare.

SECTION 1792. 140.45 (5), (6) and (8) of the statutes are amended to read:

140.45 (5) (title) **REGISTRATION.** The department, upon application on forms prescribed by it and payment of the prescribed fee, shall certify register as a ~~registered~~ sanitarian any person who has satisfied it by satisfactory presented evidence satisfactory to the department that standards and qualifications of the department, as established by rule, have been met.

(6) (title) FEES: RENEWAL OF REGISTRATION; DELINQUENCY AND REINSTATEMENT. ~~Fees~~ A fee fixed by rule of the department shall accompany the application under sub. (5) and ~~an annual, beginning January 1, 1988, a biennial fee of \$25 shall be paid by every registered sanitarian who desires to continue registration. The amounts of the fees may be adjusted by the department by rule.~~ All certificates of registration shall expire on December 31 in each odd-numbered year. The department may renew ~~certificates~~ registrations upon application made after January 1 of each even-numbered year if it is satisfied that the applicant has good cause for not making application ~~within the month of in December of the immediately preceding year~~ and upon payment of the annual biennial fee and any additional fees prescribed by the department.

(8) (title) REVOCATION OF REGISTRATION. The department may, after a hearing held in conformance with ch. 227, revoke or suspend the ~~certification~~ registration of any sanitarian for practice of fraud or deceit in obtaining the ~~certificate~~ registration or any gross professional negligence, incompetence or misconduct.

SECTION 1792c. 140.86 (2) (c) of the statutes is amended to read:

140.86 (2) (c) Of the fees collected under par. (a), ~~\$544,800~~ \$202,800 in the fiscal year ending June 30, 1985, ~~\$435,200 in the fiscal year ending June 30, 1986~~ 1988, and ~~\$305,300~~ \$195,500 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 1792g. 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. 141.01 (9) or (9m), 141.015 or 141.02 or a city health officer under s. 141.02 (2), 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 under this chapter and ch. 143.

(d) This subsection does not apply after July 31, 1989.

SECTION 1792m. 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 or committee 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. This subsection does not apply after July 31, 1989.

SECTION 1792r. 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. This subsection does not apply after July 31, 1989.

SECTION 1793m. 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. This subsection does not apply after July 31, 1989.

~~SECTION 1793r. 141.02 (5) of the statutes is repealed and recreated to read:~~

~~141.02 (5) The commissioner of health of any 1st class city shall be appointed under s. 66.146. The commissioner shall appoint a deputy outside the civil service. The deputy shall file the official oath and official bond in the amount and with the sureties directed by the common council. The deputy may perform all acts which the commissioner is authorized or required to perform. If the commissioner is absent or the office of the commissioner vacant, the deputy shall act in the commissioner's place and is subject to the same liabilities and penalties.~~

SECTION 1794g. 143.01 (1) of the statutes is amended to read:

143.01 (1) ~~“Local~~ After July 31, 1989, “local health officer” means a health officer designated under s. 140.09, 141.01 (9), 141.015, 141.02 or 141.04 or a qual-

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ified public health professional designated under s. 141.01 (1m), (3) (a) or (10).

SECTION 1794m. 143.01 (1m) of the statutes is created to read:

143.01 (1m) Before August 1, 1989, "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 1795m. 144.025 (2) (h) of the statutes is amended to read:

144.025 (2) (h) The department, upon request, ~~and without charge for service or expense,~~ shall consult with and advise owners having installed or about to install systems or plants, as to the most appropriate water supply and the best method of providing for its purity, or as to the best method of disposing of ~~sewage or refuse, with reference to the existing and wastewater, including operations and maintenance, taking into consideration the future needs of all communities or persons which may be affected thereby the community for protection of its water supply.~~ The department shall not be required to prepare plans.

SECTION 1796m. 144.025 (2) (L) of the statutes is amended to read:

144.025 (2) (L) The department shall ~~by rule establish promulgate rules establishing~~ an examining program for the certification of waterworks and wastewater treatment plant operators, setting such standards as the department finds necessary to accomplish the purposes of this chapter. The department may charge applicants ~~for the certificates to pay the cost of examination a fee for certification. All moneys collected under this paragraph for the certification of waterworks and wastewater treatment plant operators shall be credited to the appropriation under s. 20.370 (2) (bL).~~ No person may operate a waterworks or wastewater treatment plant without a valid certificate issued under this paragraph. The department shall ~~substitute the term "wastewater" for the term "sewage" in all rules adopted under this paragraph~~ owner of any wastewater treatment plant shall be, or shall employ, an operator certified under this paragraph who shall be responsible for plant operations, unless the department by rule provides otherwise. In this paragraph, "wastewater treatment plant" means a system or plant used to treat industrial wastewater, domestic wastewater or any combination of industrial wastewater and domestic wastewater.

SECTION 1796md. 144.025 (2) (b) of the statutes is created to read:

144.025 (2) (b) The department, in consultation with the department of agriculture, trade and consumer protection, may order or cause the abatement of significant and recurring pollution by a nonpoint

~~source, as defined in s. 144.25 (2) (b), including, but not limited to, pollution which is caused by the violation of a water quality standard, pollution which restricts navigation due to sedimentation and pollution which is deleterious to human health, if the department has followed the procedure specified in par. (v), has determined that the pollution is caused by the nonpoint source and has notified, in writing, the person subject to the order and the land conservation committee created under s. 92.06 in the county in which the majority of the area of the nonpoint source is located. The person subject to the order shall have 45 days from receipt of notice of the order to voluntarily abate the pollution by adoption or implementation of best management practices, as defined in s. 144.25 (2) (a). If the pollution is not abated within those 45 days, the department may issue an order under this paragraph to cause the abatement of the pollution.~~

SECTION 1796mg. 144.025 (2) (v) of the statutes is created to read:

144.025 (2) (v) At least one year before the department may initiate an action for enforcement under par. (u), the department shall make a reasonable effort to personally contact the person responsible for the pollution and to furnish the person all of the following:

1. An explanation orally and in writing of the reasons for the pollution.
2. A listing of management activities provided by the department of agriculture, trade and consumer protection or by the land conservation committee notified under par. (u) which, if followed, would reduce the pollution to an acceptable amount. The list shall, with reasonable limits, set forth all of the options which are available to the person to achieve an acceptable amount of pollution.
3. An explanation of the financial aids and technical assistance which may be available to the person, including but not limited to, cost sharing, loans, tax incentives and technical assistance available from the land conservation committee created under s. 92.06 and other agencies.

SECTION 1797m. 144.026 (3) (d) of the statutes is amended to read:

144.026 (3) (d) The department shall periodically collect from each person who registers a withdrawal under par. (a) the fee established under sub. (10) (a) 5. All moneys collected under this paragraph ~~before July 1, 1987, shall be credited to the general fund. All moneys collected under this paragraph on and after July 1, 1987, shall be credited to the appropriation under s. 20.370 (3) (mg).~~

SECTION 1798m. 144.026 (5) (f) of the statutes is amended to read:

144.026 (5) (f) The department shall charge each applicant for an approval under this subsection the fee established under sub. (10) (a) 5. All moneys collected

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under this paragraph shall be credited to the ~~appropriation under s. 20.370 (3) (mg) general fund.~~

SECTION 1799m. 144.026 (6) (g) of the statutes is amended to read:

144.026 (6) (g) The department shall periodically collect from each person whose application under this subsection is approved the fee established under sub. (10) (a) 5. All moneys collected under this paragraph shall be credited to the ~~appropriation under s. 20.370 (3) (mg) general fund.~~

SECTION 1800m. 144.026 (10) (a) 5 of the statutes is amended to read:

144.026 (10) (a) 5. A graduated schedule for the fees required under subs. (3) (d), (5) (f) and (6) (g) and a schedule for collecting the fees under subs. (3) (d) and (6) (g) periodically. ~~The fees established under this subdivision shall be sufficient to equal the department's full cost of administering this subsection and subs. (3) to (8), (11) and (12) and s. 144.976.~~

SECTION 1801e. 144.24 (4) (b) 1 of the statutes is renumbered 144.24 (4) (b) 1. (intro.) and amended to read:

144.24 (4) (b) 1. (intro.) Eligible projects relating to collection systems include only ~~collection systems~~ the following:

a. A collection system in an unsewered municipality ~~an unsewered municipality~~ which is ~~are~~ constructing a new wastewater treatment plant and collection system rehabilitation which is necessary to maintain the total integrity of a sewerage system.

SECTION 1801m. 144.24 (4) (b) 1. b of the statutes is created to read:

144.24 (4) (b) 1. b. A collection system which the department orders under s. 144.07 (1) notwithstanding the outcome of the annexation referendum under s. 144.07 (1m).

SECTION 1801mm. 144.24 (4) (b) 1. c of the statutes is created to read:

144.24 (4) (b) 1. c. A collection system in an unsewered community which is being connected to an existing wastewater treatment plant if the municipality applied to the department under sub. (5) for financial assistance on or after January 1, 1986, and the municipality received, before January 1, 1987, a notice under sub. (6) that the department was ready to allocate funds to the municipality.

SECTION 1802e. 144.245 (5m) of the statutes is renumbered 144.245 (5m) (a).

SECTION 1802f. 144.245 (5m) (b) of the statutes is created to read:

144.245 (5m) (b) The department shall notify a governmental unit if it receives a certification under s. 46.255 (7) that an individual is delinquent in child support or maintenance payments. The department or a governmental unit shall deny an application under this section if the department receives a certification under s. 46.255 (7) that the applicant or an individual

who would be directly benefitted by the grant is delinquent in child support or maintenance payments.

SECTION 1802g. 144.25 (2) (a) of the statutes is amended to read:

144.25 (2) (a) "Best management practices" means practices, techniques or measures, identified in area-wide water quality management plans, which are determined to be the most effective, ~~practicable~~ means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality goals objectives established under this section and which do not have an adverse impact on fish and wildlife habitat.

SECTION 1802gb. 144.25 (2) (am) of the statutes is created to read:

144.25 (2) (am) "Governmental unit" means any governmental unit including, but not limited to, a county, city, village, town, metropolitan sewerage district created under ss. 66.20 to 66.26 or 66.88 to 66.918, town sanitary district, public inland lake protection and rehabilitation district, regional planning commission or drainage district operating under ch. 89, 1961 stats., or ch. 88. "Governmental unit" does not include the state or any state agency.

SECTION 1802gc. 144.25 (2) (b) of the statutes is amended to read:

144.25 (2) (b) "Nonpoint source" means a land management activity which contributes to runoff, seepage or percolation; ~~and are sources which are~~ adversely affects or threatens the quality of waters of this state and which is not defined as a point source of pollutants source as defined under s. 147.015 (12).

SECTION 1802ge. 144.25 (2) (c) of the statutes is created to read:

144.25 (2) (c) "Priority watershed" means any large-scale or small-scale watershed which the department has identified under sub. (4) (c).

SECTION 1802gi. 144.25 (3) of the statutes is repealed.

SECTION 1802gk. 144.25 (4) (a) of the statutes is renumbered 144.25 (4) (am).

SECTION 1802gm. 144.25 (4) (a) of the statutes is created to read:

144.25 (4) (a) Administer the nonpoint source water pollution program under this section.

SECTION 1802go. 144.25 (4) (ar) of the statutes is created to read:

144.25 (4) (ar) Serve as the designated state agency with the federal environmental protection agency on all aspects related to the nonpoint source program management requirements of P.L. 100-4, including the development and submittal of the nonpoint source assessment report and management program required under P.L. 100-4, section 316 and preparation of the annual grant application for federal funding from the environmental protection agency to implement that program.

SECTION 1802gp. 144.25 (4) (as) of the statutes is created to read:

144.25 (4) (as) Consult with the department of agriculture, trade and consumer protection in developing any federal grant application under par. (ar). Every application is subject to s. 16.54 and shall include the proposed expenditures of federal nonpoint source water pollution abatement grant moneys and the allocation of such moneys between the department and the department of agriculture, trade and consumer protection.

SECTION 1802gq. 144.25 (4) (c) of the statutes is amended to read:

144.25 (4) (c) ~~Identify through~~ Through the continuing planning process under s. 147.25, identify those priority watersheds where the need for nonpoint source water pollution abatement is most critical ~~and identify for those watersheds the best management practices necessary to meet water quality objectives.~~ The department shall prepare project funding lists for large-scale and small-scale projects subject to the approval of the department of agriculture, trade and consumer protection.

SECTION 1802gs. 144.25 (4) (d) of the statutes is amended to read:

144.25 (4) (d) Review and approve the detailed program for implementation prepared by the designated local management agencies identified under par. (b).

SECTION 1802gu. 144.25 (4) (e) of the statutes is amended to read:

144.25 (4) (e) Promulgate rules ~~establishing, in consultation with the department of agriculture, trade and consumer protection, as are necessary for the proper execution and administration of the program under this section.~~ The rules shall include standards and specifications concerning best management practices which are required for eligibility for cost-sharing grants under this section. The department may waive these standards and specifications in exceptional cases. Only persons involved in the administration of the program under this section and persons who are grant recipients or applicants are subject to the rules promulgated under this paragraph. Any rule promulgated under this paragraph which relates or pertains to agricultural practices relating to animal waste handling and treatment are subject to s. 13.565.

SECTION 1802gz. 144.25 (4) (f) of the statutes is amended to read:

144.25 (4) (f) Administer the distribution of grants and aids to ~~counties, cities and villages~~ governmental units for local administration and implementation of the ~~nonpoint source pollution abatement grant~~ program under this section. A grant awarded under this section may be used for technical assistance, educational and training assistance, ordinance development and administration, cost-sharing for management practices and capital improvements, plan preparation

under par. (g), easements or other activities determined by the department to satisfy the requirements of this section.

SECTION 1802hc. 144.25 (4) (g) of the statutes is created to read:

144.25 (4) (g) In cooperation with the department of agriculture, trade and consumer protection and the appropriate governmental unit, prepare priority watershed plans to implement nonpoint source water pollution abatement projects in priority watersheds. In preparing the plans, the department shall:

1. Conduct the planning process in a cost-effective and timely manner and scale the planning process in accordance with the scale and nature of the pollution problem addressed in the plan.

2. Promote significant participation from the department of agriculture, trade and consumer protection and other state agencies, governmental units and other persons located in any watershed which is the subject of the plan.

3. Prepare a water resource assessment, set water quality goals, identify critical management areas and analyze alternative management practices for the area which is the subject of the plan.

4. In cooperation with the department of agriculture, trade and consumer protection, incorporate the appropriate best management practices into the plan.

5. Determine whether any county, city, village or town within the area which is the subject of the plan, as a condition of a grant under this section, should be required to develop a construction site erosion control ordinance under s. 59.974 or a manure storage ordinance under s. 92.16 in order to meet the water quality goals established in the plan.

6. Determine the specific plan components to be prepared by any appropriate governmental units in the watershed, after determining the technical, financial and staffing capability of that governmental unit.

SECTION 1802he. 144.25 (4) (h) of the statutes is created to read:

144.25 (4) (h) Designate a governmental unit to perform the inventory required under sub. (4m) (a).

SECTION 1802hg. 144.25 (4) (i) of the statutes is created to read:

144.25 (4) (i) Cooperate with the department of agriculture, trade and consumer protection under s. 92.14 (6).

SECTION 1802hi. 144.25 (4) (j) of the statutes is created to read:

144.25 (4) (j) In cooperation with the department of agriculture, trade and consumer protection, identify the training required for the personnel of a governmental unit awarded a grant under this section or s. 92.14 to administer and implement any nonpoint source water pollution abatement project or soil and water resource project funded by that grant and shall coordinate such a training program. The governmental unit may use the grant for that training or for any

other training necessary to prepare personnel to perform job duties related to this section. The department may contract with any person from the appropriation under s. 20.370 (4) (cc) for services to administer or implement this chapter, including information and education and training.

SECTION 1802hm. 144.25 (4) (o) of the statutes is created to read:

144.25 (4) (o) Annually, in cooperation with the department of agriculture, trade and consumer protection, submit a report on the progress of the program under this section to the land conservation board.

SECTION 1802ho. 144.25 (4) (p) of the statutes is created to read:

144.25 (4) (p) Jointly with the department of agriculture, trade and consumer protection, prepare the plan required under s. 92.14 (13). The department shall review and approve or disapprove the plan and shall notify the land conservation board of its final action on the plan. The department shall implement any part of the plan for which the plan gives it responsibility.

SECTION 1802hq. 144.25 (4) (pm) of the statutes is created to read:

144.25 (4) (pm) Jointly with the department of agriculture, trade and consumer protection, develop the forms required under s. 92.14 (14).

SECTION 1802hr. 144.25 (4) (q) of the statutes is created to read:

144.25 (4) (q) Consult with the department of agriculture, trade and consumer protection when it prepares the information which it submits to the department of administration under s. 16.42.

SECTION 1802hs. 144.25 (4) (r) of the statutes is created to read:

144.25 (4) (r) Jointly with the department of agriculture, trade and consumer protection, develop the standards under sub. (5) (c).

SECTION 1802hu. 144.25 (4m) of the statutes is created to read:

144.25 (4m) (a) Any governmental unit or regional planning commission designated by the department under sub. (4) (h) shall prepare an inventory of nonpoint source water pollution in the watershed which is the subject of the plan under sub. (4) (g) and submit the inventory to the department for incorporation into the plan.

(b) Every plan prepared for an area under sub. (4) (g) shall include all of the following:

1. The inventory for that area prepared under par. (a).
2. A water resource assessment of that area.
3. The identification of critical surface water and groundwater protection management areas within that area and the agricultural and nonagricultural best management practices to be applied to that area.

4. A plan implementation schedule developed in cooperation with the appropriate governmental unit or designated local management agency identified under sub. (4) (b).

5. A grant disbursement and project management schedule.

6. An integrated resource management strategy to protect or enhance fish and wildlife habitat, aesthetics and other natural resources.

7. A comprehensive management strategy to manage agricultural and nonagricultural nonpoint source water pollution affecting surface water or groundwater, including animal waste, fertilizer, pesticides, storm water, construction site erosion and other nonpoint sources of water pollution.

(c) The department shall submit a copy of any plan it completes under this subsection to any county located in or containing any watershed which is a subject of the plan and to the department of agriculture, trade and consumer protection. That county and the department of agriculture, trade and consumer protection shall review the plan, approve or disapprove the plan and notify the department of natural resources of its action on the plan.

(d) If the department receives a plan under par. (c) which has been approved by every county to which it was sent and by the department of agriculture, trade and consumer protection, the department shall approve the plan as an element of the appropriate areawide water quality management plan under P.L. 92-500, section 208.

SECTION 1802hv. 144.25 (5) (a) of the statutes is repealed and recreated to read:

144.25 (5) (a) Approve or disapprove the project funding list of any priority watershed project about which it receives notice under sub. (4) (c).

SECTION 1802hw. 144.25 (5) (b) of the statutes is repealed and recreated to read:

144.25 (5) (b) Prepare sections of the priority watershed plan relating to farm-specific implementation schedules, requirements under ss. 92.104 and 92.105, animal waste management and selection of agriculturally related best management practices and submit those sections to the department for inclusion under sub. (4m) (b).

SECTION 1802hx. 144.25 (5) (c) of the statutes is repealed and recreated to read:

144.25 (5) (c) Jointly with the department, develop technical standards for agriculturally related best management practices.

SECTION 1802jc. 144.25 (5) (d) of the statutes is repealed and recreated to read:

144.25 (5) (d) Develop a grant disbursement and project management schedule for agriculturally related best management practices to be included in a plan established under sub. (4) (g) and identify recommendations for implementing activities or projects under ss. 92.10, 92.104 and 92.105.

SECTION 1802je. 144.25 (5) (e) of the statutes is created to read:

144.25 (5) (e) Identify areas within a priority watershed which are subject to activities required under ss. 92.104 and 92.105.

SECTION 1802jf. 144.25 (5) (f) of the statutes is created to read:

144.25 (5) (f) Provide implementation assistance as identified and approved in the priority watershed plan under sub. (4) (g).

SECTION 1802jg. 144.25 (6) (intro.) of the statutes is amended to read:

144.25 (6) (intro.) The appropriate county, city or village governmental unit is responsible for local administration and implementation of priority watershed projects and shall:

SECTION 1802ji. 144.25 (6) (c) of the statutes is amended to read:

144.25 (6) (c) Contact or attempt to contact all landowners or operators within critical management areas concerning their participation in the implementation program. The appropriate county, city or village governmental unit shall certify to the department that it has complied with this paragraph.

SECTION 1802jL. 144.25 (6) (d) of the statutes is created to read:

144.25 (6) (d) Participate in the plan preparation under contract with the department. The department shall determine the specific plan components which will be prepared depending upon the technical, financial and staffing capability of the appropriate governmental unit.

SECTION 1802jn. 144.25 (8) (a) of the statutes is amended to read:

144.25 (8) (a) Municipalities Governmental units and individual landowners or operators shall be eligible for cost-sharing grants.

SECTION 1802jnm. 144.25 (8) (L) of the statutes is created to read:

144.25 (8) (L) A grant may not be made to an individual if the department receives a certification under s. 46.255 (7) that the individual is delinquent in child support or maintenance payments.

SECTION 1802jo. 144.25 (8m) of the statutes is created to read:

144.25 (8m) If the department determines under sub. (4) (g) 5 that a county, city, village or town should be required to develop a construction site erosion control ordinance under s. 59.974 or a manure storage ordinance under s. 92.16, that county, city, village or town shall develop and adopt the ordinance at least one year before completion of the nonpoint source water pollution abatement project for which it receives a grant under this section.

SECTION 1802jq. 144.25 (10) of the statutes is amended 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 governmental units shall encourage and utilize the Wisconsin conservation corps for appropriate projects.

~~SECTION 1802jqe. 144.26 (7) of the statutes is amended to read:~~

~~144.26 (7) The department, the municipalities, the Yahara watershed management district and all state agencies shall mutually cooperate to accomplish the objective of this section. To that end, the department shall consult with the governing bodies of municipalities and with the board of commissioners of the Yahara watershed management district to secure voluntary uniformity of regulations, so far as practicable, and shall extend all possible assistance therefor.~~

~~SECTION 1802jqf. 144.266 (1) of the statutes is amended to read:~~

~~144.266 (1) OBJECTIVES. To aid in the fulfillment of the state's role as trustee of its navigable waters, to promote public health, safety and general welfare and to protect natural resources, it is declared to be in the public interest to make studies, establish policies, make plans, authorize require municipal construction site erosion control ordinances and authorize municipal storm water management zoning ordinances for the efficient use, conservation, development and protection of this state's groundwater, surface water, soil and related resources and establish a state construction site erosion control and storm water management plan for the efficient use, conservation, development and protection of this state's groundwater, surface water, soil and related resources while at the same time encouraging sound economic growth in this state. The purposes of the municipal ordinances and state plan shall be to further the maintenance of safe and healthful conditions, prevent and control water pollution; prevent and control soil erosion; prevent and control the adverse effects of storm water; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth.~~

~~SECTION 1802jqm. 144.266 (3) (a) 3 of the statutes is amended to read:~~

~~144.266 (3) (a) 3. Minimum standards established under this paragraph are applicable to the state construction site erosion control and storm water management plan. The department shall encourage a county, city or village to comply with these minimum standards for any construction site erosion control ordinance and any storm water management zoning ordinance enacted under s. 59.974, 61.354 or 62.234.~~

SECTION 1802jqs. 144.266 (4) of the statutes is amended to read:

144.266 (4) (title) MODEL ORDINANCES; STATE PLAN; DISTRIBUTION. The department shall prepare a model

Vetoed
in Part

Vetoed
in Part

Vetoed in Part construction site erosion control ordinance and a model storm water management zoning ordinance in the form of an administrative rule rules. The model ordinance shall be based upon the state construction site erosion control and storm water management plan. The model ordinance is ordinance are subject to s. 227.19 and other provisions of ch. 227 in the same manner as other administrative rules. Following the promulgation of the model ordinance as a rule rules, the department shall distribute a copy of the model ordinance ordinance upon request to any county, city or village which submits a request or to the Yahara watershed management district. The department shall distribute a copy of the state plan to any agency which submits a request.

Vetoed in Part SECTION 1802jq. 144.266 (5) of the statutes is amended to read:
144.266 (5) COOPERATION. The department, the municipalities, the Yahara watershed management district and all state agencies shall cooperate to accomplish the objective of this section. To that end, the department shall consult with the governing bodies of municipalities and with the board of commissioners of the Yahara watershed management district to secure voluntary uniformity of regulations, so far as practicable, shall prepare model construction site erosion control and storm water management zoning ordinances, shall extend assistance to municipalities and the Yahara watershed management district under this section, shall prepare a state construction site erosion control and storm water management plan, shall encourage uniformity through the implementation of this plan and the utilization of memoranda of understanding which are substantially similar to the plan and shall extend assistance to agencies under this section.

Vetoed in Part SECTION 1802jr. 144.30 (3r), (14m), (14r), (22r), (22s), (24) and (25) of the statutes are created to read:
144.30 (3r) "Architectural coating" means a coating applied to a stationary structure, including a parking lot, and its appurtenances or to a mobile home.
(14m) "Growth accommodation" means the amount of volatile organic compounds specified in s. 144.40 (1) (a).

Vetoed in Part (14r) "Highway paint" means a coating applied to a highway or curb that is intended to color part or all of the highway or curb.

(22r) "Reasonably available control technology" means that control technology which provides the lowest emission rate that a particular source is capable of achieving by the application of control technology that is reasonably available considering technological and economic feasibility.

(22s) "Replenishment implementation period" means the period between the effective date of this subsection [revisor inserts date], and December 31 of the year by which the department requires full com-

pliance with rules required to be promulgated under s. 144.40 (3).

(24) "Volatile organic compound" means any compound of carbon that has a vapor pressure greater than 0.1 millimeter of mercury at standard conditions, which is the equivalent of 0.019 pounds per square inch absolute, other than carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates and ammonium carbonate.

(25) "Volatile organic compound accommodation area" means Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha counties and any other county specified by the department by rule in response to a finding by the federal environmental protection agency that the county is to be included in the volatile organic compound accommodation area.

SECTION 1802js. 144.31 (1) (q) of the statutes is created to read:

144.31 (1) (q) Promulgate by rule the actions or events which constitute the shutdown of a facility.

SECTION 1802jt. 144.35 (4) of the statutes is created to read:

144.35 (4) VOLATILE ORGANIC COMPOUNDS PROGRAM. The air pollution control council, with the cooperation and assistance of the department, shall advise the legislature and the natural resources board on matters relating to the program for the use and replenishment of the growth accommodation in the volatile organic compound accommodation area. The air pollution control council shall advise the legislature and the natural resources board on how to most effectively and equitably replenish the growth accommodation for use by new, expanding and existing businesses in southeastern Wisconsin.

SECTION 1802ju. 144.393 (7) and (8) of the statutes are created to read:

144.393 (7) USE OF VOLATILE ORGANIC COMPOUND GROWTH ACCOMMODATION. (a) Subject to the conditions and restrictions specified in this subsection, the department shall grant use of the growth accommodation as a means for a stationary source to comply with either sub. (1) (b) or (2) (a), or both subs. (1) (b) and (2) (a).

(b) Upon application by a source, the department shall certify to the applicant a growth accommodation credit in the amount requested subject to all of the following conditions:

1. The applicant demonstrates to the satisfaction of the department that it is unable, through reasonable means which could include installation of the best available control technology, to eliminate its need for a growth accommodation credit by reducing emissions of volatile organic compounds from any stationary sources that it owns or operates in the volatile organic compound accommodation area. If the department determines that an applicant could, through reasonable means, reduce the amount of growth accommodation credit applied for by reducing emissions of volatile organic compounds from any

stationary sources that it owns or operates in the volatile organic compound accommodation area, the department shall certify to the applicant a growth accommodation credit equal to the amount requested by the applicant minus the amount by which the department finds the source could, through reasonable means, reduce emissions from other stationary sources that it owns or operates in the volatile organic compound accommodation area.

2. Except as provided in s. 144.399 (5) (d), the applicant is in compliance or is complying with an approved schedule to be in compliance with ss. 144.30 to 144.426 and 144.96 with respect to all stationary sources that it owns or operates and has paid the fees required under s. 144.399 (5).

3. Except as provided in subd. 8, the growth accommodation reported for the current year under s. 144.40 (2) (b) 1, after reduction by the amount of the proposed growth accommodation credit and any growth accommodation credits issued since the date of the report, is greater than 2,500 tons.

4. If the growth accommodation reported for the current year under s. 144.40 (2) (b) 1, less a reduction by the amount of any growth accommodation credits issued since the date of the report under s. 144.40 (2) (b) 1, is greater than 3,000 tons, the department may certify to the applicant no more than the amount of the growth accommodation reported for the current year under s. 144.40 (2) (b) 1, less the sum of 2,750 tons and any growth accommodation credits issued since the date of the report under s. 144.40 (2) (b).

5. If the growth accommodation reported for the current year under s. 144.40 (2) (b) 1, after reduction by the amount of any growth accommodation credits issued since the date of the report under s. 144.40 (2) (b) 1, is greater than 2,500 tons but less than or equal to 3,000 tons, the department may certify no more than 250 tons to the applicant in that year.

6. The applicant agrees to forfeit any unused growth accommodation credits that the department determines the applicant does not need, as provided under sub. (8).

7. The applicant agrees not to sell or transfer any amount of the growth accommodation credit to any person other than the department.

8. If the growth accommodation reported for the current year under s. 144.40 (2) (b) 1, after reduction by the amount of the proposed growth accommodation credit and any growth accommodation credits issued since the date of the report, would be 2,500 tons or less, the department may certify to the applicant a growth accommodation credit in the amount determined under this section if, because of facility shutdowns or replenishment activities under s. 144.40 that have occurred, the growth accommodation for the next succeeding year after reduction by the amount of the growth accommodation credit will be greater than 2,500 tons.

9. An applicant shall inform the department of the date or dates when it will need to use any given amount of the growth accommodation credit. The department shall certify to the applicant the proper amount of the growth accommodation credit on the date which the applicant states it will need it and shall reserve the proper amount of the growth accommodation credit for certification to the applicant upon the date needed, except for any amount which is forfeited under sub. (8). The department may use reserved growth accommodation credits to certify temporary growth accommodation credits which expire on or before the date when they are certified to the source which reserved them.

10. Upon request by an applicant, the department may certify to the applicant a growth accommodation credit which expires upon a date designated in the permit. The applicant shall sign a statement to acknowledge the expiration date of the permit. Growth accommodation credits issued under this subdivision may be certified from growth accommodation credits reserved by another source under subd. 9.

(c) Nothing in this subsection grants the recipient of a growth accommodation credit a property right to emit volatile organic compounds.

(8) **FORFEITURE OF GROWTH ACCOMMODATION CREDITS.** Within 4 years after the department certifies, under sub. (7), a growth accommodation credit to an applicant or reserves for the future use of an applicant a growth accommodation credit, and at least every 4 years thereafter, the department shall determine whether the certified or reserved growth accommodation credit is reasonably necessary for the applicant's current use and future plans. If the department determines that any amount of the certified or reserved growth accommodation credit is not reasonably necessary for the applicant's current use and if the applicant cannot demonstrate to the satisfaction of the department that any amount of the certified or reserved growth accommodation credit is reasonably necessary for the applicant's future plans, the applicant shall forfeit an amount of the growth accommodation credit, as determined by the department. The department shall deposit the forfeited amount of the growth accommodation credit in the growth accommodation replenishment.

SECTION 1802jv. 144.394 (7m) of the statutes is created to read:

144.394 (7m) The terms for use of growth accommodation credits under s. 144.393 (7) or (8), including the dates that the source expects to use the credits.

SECTION 1802kd. 144.399 (1) (intro.) of the statutes is amended to read:

144.399 (1) (title) **RULE MAKING.** (intro.) The department may ~~by rule prescribe and provide promulgate rules~~ for the payment and collection of reasonable fees for all of the following:

SECTION 1802kh. 144.399 (1) (a) of the statutes is amended to read:

144.399 (1) (a) (title) *Application for permit.* Reviewing and acting upon any application for an air pollution control permit; ~~and.~~

SECTION 1802kp. 144.399 (1) (c) of the statutes is created to read:

144.399 (1) (c) *Request for exemption.* Reviewing and acting upon any request for an exemption from the requirement to obtain an air pollution control permit.

SECTION 1802kt. 144.399 (3) (b) of the statutes is amended to read:

144.399 (3) (b) *Implementation and enforcement fee.* Notwithstanding sub. (1) (b), the department may not charge an annual fee for implementing and enforcing an air pollution control permit greater than ~~\$200~~ \$500 for a minor source or greater than ~~\$500~~ \$1,000 for a major source.

SECTION 1802Lba. 144.399 (5) of the statutes is created to read:

144.399 (5) **GROWTH ACCOMMODATION USE FEE.** (a) A one-time growth accommodation use fee shall be imposed at the time of application upon any person who obtains a certified growth accommodation credit under s. 144.393 (7). If the amount of credit per calendar year varies between calendar years, the amount of the fee shall be based upon the largest annual credit for any calendar year. If the person submits more than one application in any calendar year, the fee for the application shall be based upon the largest cumulative credit obtained for any calendar year. A fee is nonrefundable, except that in determining a fee for an application in any calendar year, the department shall credit once to the person an amount equal to any fee previously paid in the same calendar year. All fees collected under this subsection shall be deposited in the general fund.

(b) Except as provided in par. (d), if the amount of the growth accommodation credit obtained by the person in a calendar year is less than 40 tons, the amount of the fee shall be determined by multiplying the amount of the growth accommodation credit certified to the person, expressed in tons per year, by \$100 per ton.

(c) Except as provided in par. (d), if the amount of the growth accommodation credit obtained by the person in a calendar year is 40 tons or more, the amount of the fee shall be determined by multiplying the amount of the growth accommodation credit certified to the person, expressed in tons per year, by \$200 per ton.

(d) A stationary source which is operating without an air pollution control permit required under s. 144.391 but which can demonstrate to the satisfaction of the department the ability to comply with ss. 144.30 to 144.426 and 144.96 after obtaining a growth

Vetoed accommodation credit under s. 144.393 (7) shall be **in Part** required to pay an amount from \$1,000 to ~~\$2,800~~

times the amount of the growth accommodation credit certified to the person, expressed in tons per year.

SECTION 1802Lbb. 144.40 of the statutes is renumbered 144.404.

SECTION 1802Lbc. 144.40 of the statutes is created to read:

144.40 Volatile organic compounds growth accommodation and replenishment. (1) **GROWTH ACCOMMODATION CALCULATION.** (a) The growth accommodation for any specified year, as calculated by the department, is the predicted emissions specified in par. (b) minus the sum of:

1. Net actual emissions specified in par. (c);

2. Net certified accommodation credits specified in par. (d);

3. Net offset credits specified in par. (e); and

4. Set asides specified in par. (f).

(b) Predicted emissions are the total predicted annual emissions of volatile organic compounds in the volatile organic compound accommodation area necessary to attain and maintain the ambient air quality standard for ozone for the year 2 years before the specified year, as set forth in the plan approved by the U.S. environmental protection agency under 42 USC 7502 (a).

(c) Net actual emissions are the total actual annual emissions of all volatile organic compounds in the volatile organic compound accommodation area for the year 2 years before the specified year as reported under sub. (2) (a) minus:

1. The sum of the annual emissions of volatile organic compounds attributable to shutdowns of facilities in the volatile organic accommodation area during the previous year; and

2. If a rule has been promulgated under sub. (3), the sum of the annual emissions reductions of volatile organic compounds attributable to the sources subject to the rule promulgated under sub. (3) during the previous year.

(d) Net certified accommodation credits are the sum of all volatile organic compound growth accommodation credits certified to date under s. 144.393 (7) or (8) minus the sum of the actual annual emissions of volatile organic compounds for the year 2 years before the specified year attributable to the sources receiving volatile organic compound growth accommodation credits certified to date under s. 144.393 (7) or (8).

(e) Net offset credits are the sum of all allowable emissions of volatile organic compounds authorized to date attributable to sources subject to an annual volatile organic compounds emission limitation that is specified in an air pollution control permit or specified as an emission credit in the plan approved by the U.S. environmental protection agency under 42 USC 7502 (a) minus the sum of the actual annual emissions of volatile organic compounds for the year 2 years before the specified year attributable to sources subject to an annual volatile organic compounds emission limita-

tion that is specified in an air pollution control permit or specified as an emission credit in the plan approved by the U.S. environmental protection agency under 42 USC 7502 (a).

(f) Set asides are:

1. Fifteen percent of the annual emissions of volatile organic compounds attributable to shutdowns of facilities in the volatile organic compound accommodation area since January 1, 1987; and

2. If a rule has been promulgated under sub. (3), 15% of the sum of the annual emissions reductions of volatile organic compounds attributable, since January 1, 1987, to the sources subject to the rule promulgated under sub. (3).

(2) ANNUAL REPORTS. The department shall prepare an annual report by January 15, which may be combined with other reports published by the department, that:

(a) States, on a calendar year basis, the total annual emissions, for the year 2 years before the year in which the report is prepared, of all volatile organic compounds in the volatile organic compound accommodation area, except methylene chloride and methyl chloroform and other volatile organic compounds that the department determines by rule to be compounds that do not contribute to the formation of ozone in the troposphere.

(b) Includes an annual plan for the management of the volatile organic compounds growth accommodation and replenishment and the growth accommodation replenishment grant program. At a minimum, the plan shall:

1. Indicate the amount of the growth accommodation at the beginning of the year.

2. Indicate the likely amount of the growth accommodation at the end of the year.

3. Report the status of the development and implementation of plans or rules under subs. (3) to (5).

4. Report if, during the prior year, the replenishment implementation period has expired.

(3) GROWTH ACCOMMODATION REPLENISHMENT. The department shall:

(a) Promulgate rules under s. 144.42 (6) (e), relating to the inspection of vehicles for tampering with air pollution control equipment.

(b) Promulgate rules restricting the amount of volatile organic compounds that may be contained in architectural coatings sold at retail in the volatile organic compound accommodation area or for use by a service provider in the volatile organic compound accommodation area. The department may exempt from a rule under this paragraph one or more categories of architectural coatings, based upon the type of coating or the use to which a coating is put, if it would be technically impractical to prohibit a category of architectural coating. The proposed rules shall include a provision to allow for the limited sale and use of the supplies of prohibited architectural coatings

that retailers and suppliers in the volatile organic compound area already have in stock at the time of promulgation of the rules.

(c) Promulgate rules requiring persons who refinish auto bodies in the volatile organic compound accommodation area to use compounds, as solvents to clean painting and related equipment, that do not react to form ozone in the troposphere. The proposed rules shall allow the use of cleaning solvents containing volatile organic compounds that were purchased before the effective date of the proposed rules.

~~(d) Promulgate rules requiring highway paint used on all highways, as defined in s. 349.01, in the volatile organic compound accommodation area, to be formulated in a manner that minimizes the emissions of volatile organic compounds from the paint. The proposed rules shall allow the use of any highway paint purchased before the effective date of the proposed rules.~~

Vetoed
in Part

(4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the replenishment implementation period, if the department reports under sub. (2) (b) 1 or determines at any other time that the growth accommodation is less than 3,500 tons, the department shall, with the advice of the air pollution control council and the department of development, submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature under s. 13.172 (3) on how to most effectively and equitably replenish the growth accommodation. The report shall review existing studies and data to evaluate the accuracy of this state's state implementation plan with respect to the effect of emissions from inside and outside the volatile organic compound accommodation area on the ambient air quality within the area.

(5) CONTINGENT RESTRICTIONS ON EXISTING SOURCES. If at any time the department finds that the growth accommodation is less than 2,500 tons and determines that it is unlikely that the growth accommodation will exceed 2,500 tons in the report under sub. (2) (b) 1 for the following year because of the inadequacy of replenishment activities at the time or because of facility shutdowns, the department shall implement the rules that specify emission limitations for emissions of volatile organic compounds from stationary sources located in the volatile organic compound accommodation area that were required to report their emissions under s. 144.96 during calendar year 1987. The emission limitations shall be designed to ensure that the growth accommodation in the subsequent year is not less than 2,500 tons. The emission limitations may not be more restrictive than the lowest achievable emission rate. The department shall implement the emission limitations by source category. For the purpose of this section, the department shall determine a source category according to the type and level of emissions. The department may also use other characteristics which relate to air pollution to deter-

mine source categories. The department shall implement the emission limitations based upon ease of implementation, cost-effectiveness and the relative equity of imposing a limitation upon a source category, given any prior limitations of emissions imposed upon that source category. To the extent feasible, the emission limitations shall provide affected sources the opportunity to choose to be subject to either an annual emission limitation or a more restrictive applicable reasonably available control technology rule than was in effect in 1987.

SECTION 1802Lbg. 144.42 (6) (b) of the statutes is amended to read:

144.42 (6) (b) *Prohibition.* Except as permitted or authorized by rule of the department, no person may fail to maintain in good working order or may tamper with air pollution control equipment.

SECTION 1802Lbh. 144.42 (6) (e) of the statutes is created to read:

144.42 (6) (e) *Rule making.* The department shall promulgate rules that specify the requirements for the random inspection of motor vehicles for the occurrence of tampering with air pollution control equipment.

SECTION 1802Lc. 144.431 (2) (e) of the statutes is created to read:

144.431 (2) (e) Inspect solid waste facility construction projects to determine compliance with ss. 144.43 to 144.47 and rules promulgated and licenses issued under those sections.

Vetoed in Part

SECTION 1802Lcc. 144.44 (1r) of the statutes is created to read:

144.44 (1r) *NEGOTIATION AND ARBITRATION PROCESS.* No person may construct a solid waste disposal facility or a hazardous waste facility unless a copy or notice of a negotiated agreement approved under s. 144.445 (9) (k) or the determination of an arbitration award by the board under s. 144.445 (10) has been filed with the board, or unless the rights to the negotiation process of all affected municipalities have been waived.

Vetoed in Part

SECTION 1802Ld. 144.44 (2) (nm) 3m of the statutes is created to read:

144.44 (2) (nm) 3m. The county solid waste management plan under s. 144.437 for the county in which the proposed facility is to be located, if any, provided that the plan has been revised or approved by the department no more than 2 years prior to the submission by the applicant of a feasibility report under this section.

SECTION 1802Le. 144.44 (2) (nm) 4 of the statutes is amended to read:

144.44 (2) (nm) 4. If the need for a proposed municipal facility cannot be established under subds. 1 to 3 3m, the extent to which the proposed facility is needed to replace other facilities of that municipality at the time those facilities are projected to be closed in the plans of operation.

SECTION 1802Lem. 144.44 (2) (np) of the statutes is created to read:

Vetoed in Part

144.44 (2) (np) *Adjacent facilities.* Except as provided under this paragraph, the department shall not issue a determination of need under par. (6m) or approve a feasibility report under this subsection for a solid waste disposal facility if another solid waste disposal facility is in operation, or a facility which has been closed for less than one year, is within 5 miles of the proposed facility. This prohibition does not apply to any of the following:

1. An expansion of or addition to a solid waste disposal facility by the owner or operator of that facility on contiguous or adjoining property owned or under option to lease or purchase by the owner or operator of the existing facility.

2. A facility owned or operated by a generator of high volume industrial waste as defined under sub. (7) (a) 1 which is designed and operated to accommodate wastes generated on site and which primarily accepts high volume industrial waste.

3. A proposed disposal facility when the existing operating solid waste disposal facility within a 5 mile radius is a high-volume industrial waste disposal facility owned or operated by the generator of those wastes to accommodate wastes generated on site.

4. A proposed facility in a county with a population greater than 750,000.

SECTION 1802Lff. 144.44 (2) (nr) (intro.) of the statutes is amended to read:

144.44 (2) (nr) *Determination of need, exempt facilities.* (intro.) Paragraphs (f) 6, (n) 4, (nm) 4, (np) and (om) do not apply to:

SECTION 1802Lfg. 144.44 (4) (bn) of the statutes is created to read:

Vetoed in Part

144.44 (4) (bn) *Issuance restriction.* No operating license or other approval for an incinerator may be issued or reissued unless the requirements under s. 144.704 (17) (bc) and (bg) are met.

SECTION 1802Lg. 144.44 (10) (b) of the statutes is amended to read:

144.44 (10) (b) Solid waste license and review activities consist of reviewing feasibility reports, plans of operation, closure plans and license applications, issuing determinations of feasibility, plan of operation approvals and operating licenses, inspecting construction projects and taking other actions in administering this section.

SECTION 1802Li. 144.442 (1m) (cp) of the statutes is created to read:

144.442 (1m) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm) and except as provided under par. (d), the environmental repair fee imposed under par. (a) is 30 cents per ton for solid or hazardous waste from January 1, 1988 to December 31, 1988; 45 cents per ton for solid or hazardous waste from January 1, 1989 to December 31, 1989, and 65 cents per ton for solid or hazardous waste after December 31, 1989. This paragraph applies to solid and hazard-

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ous waste other than high-volume industrial waste, as defined in s. 144.44 (7) (a) 1, received by a licensed solid or hazardous waste disposal facility after December 31, 1987.

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~~SECTION 1802Lh. 144.442 (1s) of the statutes is created to read:~~

~~144.442 (1s) ENVIRONMENTAL REPAIR FEE FOR GENERATORS OF HAZARDOUS WASTE. (a) A generator of hazardous waste who is required to report annually on hazardous waste activities according to rules promulgated under s. 144.62 (8) (b) shall pay an annual environmental repair fee.~~

~~(b) The annual environmental repair fee under par. (a) shall be assessed as follows:~~

~~1. A generator of hazardous waste shall pay \$100, or \$3 per ton of hazardous waste generated, whichever is greater.~~

~~2. No generator may pay a fee that is greater than \$10,000.~~

~~(c) No fees may be assessed under par. (a) for the following hazardous wastes:~~

~~1. Hazardous wastes which are recovered for recycling or reuse.~~

~~2. Leachate which contains hazardous waste which is being transported to a wastewater treatment plant.~~

~~(d) The department shall assess fees under par. (a) on the basis of the generator's report that is submitted according to the rules promulgated under s. 144.62 (8) (b).~~

~~(e) All moneys received under this subsection shall be credited to the environmental repair fund.~~

SECTION 1802Lpb. 144.442 (4) (a) 1 of the statutes is amended to read:

144.442 (4) (a) 1. The department shall compile and maintain an inventory of sites or facilities which may cause or threaten to cause environmental pollution. In compiling the inventory, the department shall collect all relevant information about a site or facility which is or may become available. No later than January 1, 1992, the department shall complete the inventory of sites or facilities.

SECTION 1802Lpg. 144.442 (4) (c) 2 of the statutes is amended to read:

144.442 (4) (c) 2. From time to time, the department shall issue documents, consistent with the criteria in subd. 1, which list the hazard ranking of sites and facilities which are included in the inventory under par. (a). The hazard ranking list shall include in a single category those sites or facilities determined by the department to present a substantial danger to public health or welfare or the environment. The department may include subcategories in the hazard ranking list which group together, without assigning a specific degree of risk and without establishing an individual hazard ranking, sites or facilities which do not present a substantial danger to public health or welfare or the environment. No later than January 1, 1994, the

department shall complete the hazard ranking of all sites or facilities which are included in the completed inventory under par. (a). Notwithstanding s. 227.01 (13) or 227.10 (1), documents issued under this subdivision are not rules.

SECTION 1802Lpj. 144.442 (6) (a) of the statutes is repealed.

SECTION 1802Lpp. 144.442 (6) (c) of the statutes is amended to read:

144.442 (6) (c) *Sequence of remedial action.* In determining the sequence for taking remedial action under this subsection, the department shall consider the hazard ranking of each site or facility, the amount of funds available, the information available about each site or facility, the willingness and ability of an owner, operator or other responsible person to undertake or assist in remedial action, the availability of federal funds under 42 USC 9601, et seq., and other relevant factors. The department shall give the highest priority to remedial action at sites or facilities which have caused contamination of a municipal water supply in a town with a population greater than 10,000. If any such site or facility is eligible for federal funds under 42 USC s. 9601 to 9675, but the federal funds will not be available before January 1, 2000, the department shall proceed with remedial action using state funds.

SECTION 1802Lps. 144.442 (6) (cm) of the statutes is created to read:

144.442 (6) (cm) Remedial action schedule. The department shall commence remedial action as required under this paragraph for sites or facilities which are included on the hazard ranking list and are determined to present a substantial danger to public health or welfare or the environment. The department shall commence remedial action at no less than 2 of the sites or facilities by January 1, 1989. The department shall commence remedial action at all of the sites or facilities by January 1, 2000. After January 1, 1989 and before January 1, 2000, the department shall annually commence remedial action at no less than 2 of the sites or facilities.

SECTION 1802Lpt. 144.442 (6) (d) of the statutes is amended to read:

144.442 (6) (d) *Emergency responses.* Notwithstanding rules promulgated under this section, the hazard ranking list ~~or~~, the considerations for taking action under par. (c) or the remedial action schedule under par. (cm), the department may take emergency action under this section at a site or facility if delay will result in imminent risk to public health or safety or the environment. The department is not required to hold a hearing under par. (f) if emergency action is taken under this paragraph. The decision of the department to take emergency action is a final decision of the agency subject to judicial review under ch. 227.

SECTION 1802Lq. 144.442 (6) (e) of the statutes is amended to read:

144.442 (6) (e) *Access to property.* The department, any authorized officer, employe or agent of the department or any person under contract with the department may enter onto any ~~property or premises~~ site or facility at reasonable times and upon notice to the owner or occupant to take action under this subsection. Notice to the owner or occupant is not required if the delay required to provide this notice is likely to result in an imminent risk to public health or welfare or the environment.

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in Part

~~SECTION 1802Lqa. 144.442 (6) (em) of the statutes is created to read:~~

~~144.442 (6) (em) *Access to information.* 1. In order to determine the need for action at a site or facility which is eligible for federal funding under 42 USC 9601 to 9675, and where necessary to ascertain facts not available at the site or facility, the department may request any person who generates, transports or otherwise handles or has handled solid or hazardous waste to provide access to records, as defined under s. 19.32 (2), which disclose all of the following:~~

~~a. The type and quantity of wastes that the person generated, transported or handled and which were disposed at the site or facility and the dates of those activities.~~

~~b. The identity of persons who generated, transported or handled wastes which were disposed at the site or facility.~~

~~c. Predecessor or successor business entities, parent and subsidiary corporations and other business relationships of persons who generated, transported or handled wastes which were disposed at the site or facility.~~

~~2. The department shall allow the person sufficient time to locate and make available the requested records under subd. 1. If the person fails to respond to the request, the department may order the person to provide access to the requested records under sub. 1. The department may not require the person to provide the department with the original record or a copy of the record but the department may examine the requested records, accept copies of the requested records provided by the person, pay the person for the reasonable costs of copies or make copies of the requested records on copying equipment provided by the department.~~

SECTION 1802Lr. 144.442 (8) (c) of the statutes is created to read:

144.442 (8) (c) 1. The department may require a municipality to pay a reasonable share of the amount expended by the department for a project under par. (b). The department shall base any share charged to a municipality for a project under par. (b) on the following factors:

a. The municipality's responsibility for the site or facility affected by the project.

b. The benefit that the municipality receives from the project.

c. The municipality's ability to pay for the project.

2. The total amount charged to all municipalities who are charged for the project may not exceed 50% of the amount expended by the department under par. (b) for the project.

3. The department shall promulgate rules establishing criteria for determining the responsibility, for the purposes of this subsection, of a municipality for a site or facility affected by the project under par. (b); the benefit a municipality receives from a project under par. (b); and the ability of a municipality to pay for a project under par. (b).

4. All moneys received under this paragraph shall be credited to the environmental repair fund.

~~SECTION 1802Lra. 144.442 (9) (title) of the statutes is amended to read:~~

~~144.442 (9) (title) LIABILITY, RECOVERY OF EXPENDITURES.~~

~~SECTION 1802Lrb. 144.442 (9) (a) 1 of the statutes is renumbered 144.442 (9) (a) 1r and amended to read:~~

~~144.442 (9) (a) 1r. "Operator" means any person who operates a site or facility or who permits the disposal of solid or hazardous waste at a site or facility under his or her management or control for consideration, regardless of whether the site or facility remains in operation and regardless of whether the person operates or permits disposal of solid or hazardous waste at the time any environmental pollution occurs. This term includes a subsidiary or parent corporation.~~

~~SECTION 1802Lrc. 144.442 (9) (a) 1, 2m, 4 and 5 of the statutes are created to read:~~

~~144.442 (9) (a) 1. "Hazardous waste" has the meaning given under s. 144.61 (5).~~

~~2m. "Release" means any spill, leak, pumping, pouring, emission, emptying, discharge, injection, escape, leaching, dumping or disposal of a substance which causes or threatens to cause environmental pollution.~~

~~4. "Transporter" means a person, including a subsidiary or parent corporation of the person, who accepts or accepted any solid or hazardous waste for transport to a solid or hazardous waste site or facility.~~

~~5. "Waste producer" means any person, including a subsidiary or parent corporation of the person, who produced solid or hazardous waste and, by contract, agreement or otherwise, arranged for the transportation or disposal of the solid or hazardous waste.~~

~~SECTION 1802Lrd. 144.442 (9) (c) of the statutes is repealed and recreated to read:~~

~~144.442 (9) (c) *Persons responsible.* A waste producer of solid or hazardous waste which was disposed of at the site or facility, the owner or operator of the site or facility, or the transporter of the solid or hazardous waste is each liable for all of the following:~~

~~1. All costs incurred by this state under sub. (6) or (8) for the environmental repair of a site or facility.~~

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and all costs incurred by this state for investigation of the site or facility under sub. (4) (b).

2. All other necessary costs of response to the conditions which present an imminent risk or substantial danger posed to public health or the environment incurred by any person, as determined by the department.

3. Damages for injury to, destruction of or loss of natural resources, including reasonable costs of assessing the injury, destruction or loss resulting from the environmental pollution caused by the site or facility.

SECTION 1802Lc. 144.442 (9) (cg) of the statutes is created to read:

144.442 (9) (cg) *Defenses.* A person specified under par. (c) (intro.) is not liable under par. (c) if the person establishes by a preponderance of the evidence that actual or threatened environmental pollution was caused solely by any of the following:

1. An act of God.
2. An act of war.
3. An act or omission of a 3rd party, other than an employe or agent of the person specified under par. (c) (intro.), or other than a person whose act or omission occurs in connection with a direct or indirect contractual relationship with the person specified under par. (c) (intro.) if all of the following apply:

a. A person specified under par. (c) (intro.) establishes by a preponderance of the evidence that the person specified under par. (c) (intro.) exercised due care with respect to the solid or hazardous waste that caused injury to, destruction of, or loss of natural resources.

b. In exercising due care under subd. 3. a, the person specified under par. (c) (intro.) took into consideration the characteristics of the solid or hazardous waste, in light of all relevant facts and circumstances.

c. The person specified under par. (c) (intro.) took precautions against foreseeable acts or omissions of the 3rd party and the consequences that could foreseeably result from such acts or omissions.

SECTION 1802Lg. 144.442 (9) (d) of the statutes is amended to read:

144.442 (9) (d) *Right of action.* A right of action shall accrue to the state against any person responsible specified under par. (c) (intro.) if an expenditure is made for investigation, oversight or environmental repair at the site or facility or if an expenditure is made under sub. (8).

SECTION 1802Lj. 144.442 (9) (h) of the statutes is amended to read:

144.442 (9) (h) *Cleanup agreements; waiver of cost recovery.* The department and any person who is responsible specified under par. (c) (intro.) may enter into an agreement regarding actions which the department is authorized to take under sub. (6). In the agreement, the department may specify those actions under sub. (6) which the responsible person specified

under par. (c) (intro.) may take. As part of the agreement, the department may agree to reduce the amount which the state is entitled to recover under this subsection or to waive part or all of the liability which the responsible person may have under this subsection.

SECTION 1802Lw. 144.4425 of the statutes is created to read:

144.4425 Petroleum storage environmental cleanup.

(1) **DEFINITIONS.** In this section:

(a) "Abandoned petroleum product storage system" means a petroleum product storage system for which the owner and operator cannot be determined or located, or if the owner or operator fails to comply with these requirements and if the department or department of justice is unable to obtain compliance with these requirements after appropriate legal action because of bankruptcy, insolvency or financial inability of the owner or operator or the company to comply with these requirements.

(b) "Groundwater" has the meaning specified under s. 144.027 (1) (c).

(c) "Operator" means any person who operates a petroleum product storage system, regardless of whether the petroleum product storage system remains in operation and regardless of whether the person operates or permits the use of the petroleum product storage system at the time any environmental pollution occurs. This term includes a subsidiary or parent corporation.

(d) "Owner" means any person who owns, or has possession or control of, a petroleum product storage system, or who receives direct or indirect consideration from the operation of a petroleum product storage system regardless of whether the petroleum product storage system remains in operation and regardless of whether the person owns or receives consideration at the time any environmental pollution occurs. This term includes a subsidiary or parent corporation.

(e) "Petroleum products" includes gasoline, gasoline-alcohol fuel blends, kerosene, fuel oil, burner oil and diesel fuel oil.

(f) "Petroleum product storage system" means a location which contains at least one stationary tank for holding petroleum products, together with any on-site integral piping or dispensing system. The term does not include pipeline facilities, including gathering lines.

(g) "Precision testing" means a testing method capable of detecting a release rate of at least 0.10 gallons per hour from the petroleum product storage system determined with a probability of detection of 0.99 and a probability of false alarms of 0.01 and which controls or minimizes through proper design and test procedures the effects of product temperature changes, trapped vapor pockets, condensation, evaporation and tank deflection.

Vetoed
in Part

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in Part

~~(h) "Subsidiary of parent corporation" means any business entity, including a subsidiary, parent corporation or other business arrangement which has elements of common ownership or control or uses a long-term contractual arrangement with any person to avoid direct responsibility for conditions at a site or facility.~~

~~(2) DUTIES OF THE DEPARTMENT. (a) The department shall:~~

~~1. Issue reports at least every 6 months on expenditures from the petroleum storage environmental cleanup fund.~~

~~(b) The department may:~~

~~1. Contract with independent contractors for additional professional, technical or clerical services to carry out activities under this section.~~

~~2. Take direct action or contract with independent contractors to take direct action to conduct investigative, clean-up and restoration activities at the site of a petroleum product storage system.~~

~~3. Take any remedial action, as provided under s. 144.76, to provide for clean-up, investigation and restoration activities at the site of an abandoned petroleum product storage system and expend funds as provided under s. 20.370 (2) (fm) to cover costs under this subdivision.~~

~~4. Enter onto any property or premises at reasonable times and upon notice to the owner or occupant to take action under this subsection; or may authorize an officer, employe or agent or any person under contract with the department to do so. Notice to the owner or occupant is not required if the delay required to provide this notice is likely to result in an imminent risk to public health or welfare or the environment.~~

~~(2m) DUTIES OF THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS. The department of industry, labor and human relations shall:~~

Vetoed
in Part

~~(a) Cease collecting the oil inspection fee or reduce the oil inspection fee under s. 168.12 (1m), when notified by the department of natural resources that the unencumbered balance of the fund under s. 25.47 exceeds \$5,000,000 for more than 30 consecutive days.~~

~~(b) Begin collecting the oil inspection fee or increase the oil inspection fee under s. 168.12 (1m), when notified by the department of natural resources that the projected revenues accruing to the fund under s. 25.47 are insufficient to fund projected awards under this section for any fiscal year.~~

~~(c) Enforce sub. (6) (a) as provided under sub. (6) (b).~~

~~(2n) OIL INSPECTION FEE ADJUSTMENTS. An increase established under sub. (2m) (b) shall not extend past the end of the fiscal year in which it is established. The department shall establish the fee under sub. (2m) (b) in an amount to generate no more than \$5,000,000 in a fiscal year.~~

Vetoed
in Part

~~(2o) EXEMPTION FROM RULE MAKING. Notwithstanding s. 227.01 (13), a procedure for oil inspection fee collection under this section, or for setting an oil~~

~~inspection fee under this section, shall not be made by rule.~~

Vetoed
in Part

~~(3) CLAIMS FOR PETROLEUM PRODUCT INVESTIGATION, CLEAN-UP AND RESTORATION ACTIVITIES. (a) ~~Who may submit a claim.~~ An owner or operator of a petroleum product storage system may submit a claim to the department for an award under sub. (4) to reimburse the owner or operator for eligible costs under sub. (4) (b) that the owner or operator incurs in a petroleum product storage system investigation, clean-up and environmental restoration activities if the owner or operator does all of the following:~~

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in Part

~~1. Registers the petroleum product storage system with the department of industry, labor and human relations.~~

~~2. Reports the spill or leak in a timely manner to the division of emergency government in department of administration or to the department, according to the requirements under s. 144.76.~~

~~3. Investigates the extent of environmental damage at the site of the petroleum product storage system.~~

~~4. Recovers any recoverable petroleum products at the site of the petroleum product storage system.~~

~~5. Disposes of any residual solid or hazardous waste in a manner consistent with state, local and federal laws, rules and regulations.~~

~~6. Follows standards for groundwater restoration in the groundwater standards in the rules promulgated by the department under ss. 160.07 and 160.09 and restores the environment, to the extent practicable, according to those standards at the site of the petroleum product storage system.~~

~~(am) *Claims submitted by owners or operators who were not owners or operators when a petroleum product spill or leak occurred.* An owner or operator of a petroleum product storage system who was not the owner or operator when a petroleum product spill or leak occurred and who meets the requirements of this section may submit a claim for an award under sub. (4) (a) unless the owner or operator knew or should have known of the previous owner's or operator's ineligibility as a result of actions under sub. (4) (g) 4 to 7.~~

~~(b) *Application.* A claimant shall submit a claim on a form provided by the department. The claimant shall verify the claim by affidavit. The claim shall contain the following documentation of activities and expenditures associated with the investigation, clean-up and restoration activities at the site of a petroleum product storage system:~~

~~1. Records of investigation, results and data interpretation.~~

~~2. Site restoration plans.~~

~~3. Contracts for investigation, clean-up and restoration activities and records of the contract negotiations.~~

~~4. Accounts, invoices, sales receipts or other records documenting actual costs incurred in investigation, clean-up and restoration activities.~~

Vetoed
in Part

5. A report on the degree of environmental restoration at the site of the petroleum product leak or spill which includes the following:

- a. Relevant information from laboratory tests of petroleum products, surface water and groundwater.
- b. A comparison of the environmental restoration results at the site with groundwater standards required under administrative rules promulgated under ss. 160.07 and 160.09.
- c. Other records and statements that the department determines to be necessary to complete the application.

(4) AWARDS FOR PETROLEUM PRODUCT INVESTIGATION, CLEAN-UP AND RESTORATION ACTIVITIES.

Vetoed
in Part

(a) *Awards.* If the department finds that the claimant meets all of the requirements of this section and any rules which may be promulgated under this section, the department shall issue a petroleum storage environmental clean-up award to reimburse a claimant for eligible costs incurred for the investigation and clean-up of environmental contamination caused by leaking or spilled petroleum products from petroleum product storage systems and for environmental restoration activities at the clean-up site.

Vetoed
in Part

(am) *Claims.* A claimant may file a claim and receive reimbursement before completion of all requirements under sub. (3). The department shall seek to recover costs under sub. (5) if the claimant does not later comply with all of the requirements under sub. (3).

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in Part

(b) *Eligible costs.* Eligible costs for an award under par. (a) include actual costs for the following items only:

- 1. Precision testing to determine leaks.
- 2. Removal of petroleum products from petroleum product storage systems, surface waters, groundwater or soil.
- 3. Investigation and assessment of contaminated sites.
- 4. Removal of contaminated soils.
- 5. Soil treatment and disposal.
- 6. Environmental monitoring.
- 7. Laboratory services.
- 8. Maintenance of equipment for petroleum product recovery or environmental restoration.
- 9. Restoration or replacement of a potable water supply.
- 10. Restoration of environmental quality.
- 11. Contractor costs for response actions.
- 12. Inspection and supervision.

(c) *Exclusions from eligible costs.* Eligible costs for an award under par. (a) do not include the following:

- 1. Costs incurred before January 1, 1987.
- 2. Costs of retrofitting or replacing petroleum storage systems.
- 3. Other costs that the department determines to be associated with, but not integral to, site rehabilitation

4. Costs which the department determines to be unreasonable or unnecessary.

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(d) *Awards during the grace period.* During an 18-month grace period which begins on the first day of the 3rd month after the effective date of this paragraph ... [revisor inserts date], and ends on the last day of the 20th month after the effective date of this paragraph ... [revisor inserts date], the department shall issue awards for petroleum product clean-up activities without regard to fault, except as provided in par. (g) 4 to 7 and sub. (3) (am).

(e) *Contributory negligence.* Contributory negligence shall not be a bar to recovery and no award may be diminished as a result of negligence attributable to the claimant or any person who is entitled to submit a claim.

(f) *Awards during the post-grace period.* The department shall issue awards for claims for eligible costs under par. (b) of investigation, clean-up and restoration activities at the site of a spill or leak from a petroleum product storage system for contamination reported or discovered on or after the first day of the 21st month after the effective date of this paragraph ... [revisor inserts date]. The department shall issue awards under par. (a) without regard to fault, except as provided in par. (g) 4 to 7 and sub. (3) (am) for all eligible costs exceeding \$100,000 for each petroleum product storage system location.

(g) *Denial of claims, limits on awards.* The department shall deny a claim under par. (a) if:

- 1. The claim is not within the scope of this section.
- 2. The claimant submits a fraudulent claim.
- 3. The claim is for reimbursement of costs incurred before January 1, 1987.
- 4. The claimant has been grossly negligent in the maintenance of the petroleum product storage system.
- 5. The claimant intentionally damaged the petroleum product storage system.
- 6. The claimant falsified storage records.
- 7. The claimant willfully failed to comply with laws or rules of this state concerning the storage of petroleum products.

(5) *RECOVERY OF COSTS.* (a) *Right of action.* A right of action shall accrue to the state against any person submitting fraudulent claims or not meeting requirements under this section if an expenditure is made for petroleum product investigation, clean-up or environmental restoration activities.

(b) *Action to recover costs.* The attorney general shall take action as is appropriate to recover expenditures to which the state is entitled.

(c) *Disposition of funds.* When an expenditure is made from the petroleum storage environmental cleanup fund, the net proceeds of the recovery shall be paid into the petroleum storage environmental cleanup fund.

(6) *REQUIREMENT FOR PROOF OF FINANCIAL RESPONSIBILITY.* (a) If on or after the first day of the 21st

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month after the effective date of this paragraph (revisor inserts date), an owner or operator fails to pay for an investigation, clean-up or restoration activity for a petroleum product storage system that the owner or operator used in a business operation, then the owner or operator may not continue to conduct business at that business operation or start a new business that uses a petroleum product storage system unless the following requirements and conditions are met:

1. The owner or operator establishes proof of financial responsibility in the amount of \$100,000 by one of the standard methods under s. 144.443 (3) (a) 1 to 4, or a financial commitment satisfactory to the department.

2. The department approves the owner's or operator's proof of financial responsibility under subd. 1.

3. The owner or operator maintains the proof of financial responsibility under subd. 1.

(b) The department of industry, labor and human relations shall enforce this subsection through the revocation of any existing petroleum storage tank use permit issued by the department of industry, labor and human relations, or by the refusal to issue a new petroleum storage tank use permit.

(7) LIABILITY. (a) No common law liability, and no statutory liability which is provided in other statutes, for damages resulting from a petroleum product storage system is affected in any manner by this section. The authority, power and remedies provided in this section are in addition to any authority, power or remedy provided in any other statutes or provided at common law.

(b) If a person takes a remedial action at a petroleum product storage system, whether or not an agreement is entered into with the department, any agreement and action taken are not evidence of liability or an admission of liability for any potential or actual environmental pollution.

(8) PETROLEUM STORAGE ENVIRONMENTAL CLEANUP COUNCIL. (a) The petroleum storage environmental cleanup council shall advise the secretary on any rules which may be promulgated under this section and other matters related to the petroleum storage environmental cleanup fund. The council shall also review reports on the fund prepared every 6 months by the department.

(b) In addition to the members appointed by the secretary, the president of the senate and the speaker of the assembly shall each appoint, in the manner provided for selection of members of standing committees, an observer who shall attend council meetings, but shall not be a member of the council.

SECTION 1802Lx. 144.445 (8) (b) 1m of the statutes is amended to read:

144.445 (8) (b) 1m. Reimbursement of reasonable costs, but not to exceed ~~\$2,500~~ \$40,000, incurred by the local committee relating to negotiation, mediation and arbitration activities under this section.

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SECTION 1802m. 144.445 (9) (em) of the statutes is created to read:

144.445 (9) (em) *Default hearing costs.* The board shall submit to the applicant and local committee a statement of the costs of a hearing held under par. (e) to determine whether the failure of an applicant or a local committee to participate in the negotiation sessions under this subsection constitutes default. Except as otherwise specified in an arbitration award, the costs of a hearing to determine whether a given situation constitutes default shall be shared ~~equally~~ between the applicant and the local committee. The local committee's share of the hearing costs shall be divided among the participating municipalities in proportion to the number of members appointed to the local committee by each participating municipality.

Vetoed
in Part

SECTION 1802mm. 144.449 of the statutes is created to read:

144.449 Tire dumps. (1) DEFINITIONS. In this section:

(a) "Nuisance" means an unreasonable danger to public health, safety or welfare or the environment.

(b) "Tire dump" means any location that is used for storing or disposing of waste tires.

(c) "Waste tire" has the meaning given under s. 84.076 ~~(N)~~.

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in Part

(2) DEPARTMENT AUTHORITY; ABATEMENT. If the department determines that a tire dump is a nuisance, it shall notify the person responsible for the nuisance and request that the tires be processed or removed within a specified period. If the person fails to take the requested action within the specified period, the department shall order the person to abate the nuisance within a specified period. If the person responsible for the nuisance is not the owner of the property on which the tire dump is located, the department may order the property owner to permit abatement of the nuisance. If the person responsible for the nuisance fails to comply with the order, the department may take any action necessary to abate the nuisance, including entering the property where the tire dump is located and confiscating the waste tires, or arranging to have the waste tires processed or removed.

(3) APPLICABILITY. This section does not apply to any of the following:

(a) A retail business premises where tires are sold if no more than 500 waste tires are kept on the premises at one time.

(b) The premises of a tire retreading business if no more than 3,000 waste tires are kept on the premises at one time.

(c) A premises where tires are removed from motor vehicles in the ordinary course of business if no more than 500 waste tires are kept on the premises at one time.

(d) A solid waste disposal facility where no more than 60,000 waste tires are stored above ground at one time if all tires received for storage are processed, bur-

ied or removed from the facility within one year after receipt.

(e) A site where no more than 250 waste tires are stored for agricultural uses.

(f) A site where a recovery activity, as defined in s. 144.798 (1) (a), is carried on if no more than a 6-month inventory of tires is kept on the site.

(g) A site where waste tires are stored for use in constructing artificial reefs in waters of the state.

(h) An artificial reef constructed of waste tires.

(i) A construction site where waste tires are stored for use or used in road surfacing and construction of embankments.

(j) A solid waste disposal facility where waste tires are buried in compliance with rules promulgated by the department.

(4) ABATEMENT PRIORITIES. The order of priority for the department's abatement activities under sub. (2) shall be as follows:

(a) Tire dumps determined by the department to contain more than 1,000,000 tires.

(b) Tire dumps which constitute a fire hazard or threat to public health.

(c) Tire dumps in densely populated areas.

(d) All other tire dumps.

(5) RECOVERY OF EXPENSES. The department shall initiate a civil action to recover from the person responsible for the nuisance the reasonable and necessary costs incurred by the department for its nuisance abatement activities and its administrative and legal expenses related to the abatement. The department's certification of expenses shall be prima facie evidence that the expenses are reasonable and necessary.

(6) OTHER ABATEMENT. This section does not change the existing authority of any person to abate a nuisance. The department may reimburse a person for the costs of any such abatement.

SECTION 1802n. 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.

(c) "Populous county" means a county with a population of 315,000 or more.

(2) RESTRICTION. 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 1802r. 144.62 (14) of the statutes is created to read:

144.62 (14) The department may inspect hazardous waste facility construction projects to determine compliance with ss. 144.60 to 144.74 and rules promulgated and licenses issued under those sections.

SECTION 1802u. 144.64 (4) (a) 2 of the statutes is amended to read:

144.64 (4) (a) 2. Hazardous waste license and review activities consist of reviewing feasibility reports, plans of operation, closure plans and license applications, issuing determinations of feasibility, plan of operation approvals, operating licenses, interim licenses and variances, inspecting construction projects and taking other actions in administering this section.

SECTION 1802w. 144.69 of the statutes is amended to read:

144.69 Inspections and right of entry. Upon the request of any officer ~~or~~ employee or agent of the department and with notice provided no later than upon the ~~officer or employee's~~ officer's, employee's or agent's arrival, any person who generates, stores, treats, transports or disposes of hazardous wastes shall permit the officer ~~or~~ employee or agent access to vehicles, premises and records relating to hazardous wastes at reasonable times. An officer ~~or~~ employee or agent of the department may take samples of any hazardous waste. The officer ~~or~~ employee or agent shall commence and complete inspections with reasonable promptness. If samples are taken, the officer ~~or~~ employee or agent shall give a receipt for each sample to the person in charge of the facility and, upon request, half of the sample taken. The department shall furnish promptly a copy of the results of any analysis of any sample which is taken and a copy of the inspection report to the person in charge of the facility.

SECTION 1802y. 144.76 (6) (a) of the statutes is amended to read:

144.76 (6) (a) *Contingency plan; activities resulting from discharges.* The department may utilize moneys appropriated under s. 20.370 (2) ~~(du) (di), (dv) and (dx)~~ in implementing and carrying out the contingency plan developed under sub. (5) and to provide for the procurement, maintenance and storage of necessary equipment and supplies, personnel training and expenses incurred in identifying, locating, monitoring, containing, removing and disposing of discharged substances. ~~The department shall utilize moneys~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

**Vetoed
in Part**

~~appropriated under s. 20.370 (2) (bg) for purposes related to abandoned petroleum product storage systems, as defined under s. 144.442 (1) (a), in carrying out the activities under this section.~~

SECTION 1802yg. 144.76 (6) (b) of the statutes is amended to read:

144.76 (6) (b) *Limitation on equipment expenses.* No more than 25% of the moneys available under the appropriation under s. 20.370 (2) ~~(du)~~ (di), (dv) or (dx) during any fiscal year may be used for the procurement and maintenance of necessary equipment during that fiscal year.

SECTION 1802z. 144.77 (6) (a) and (b) of the statutes are amended to read:

144.77 (6) (a) The department may utilize moneys appropriated under s. 20.370 (2) ~~(du)~~ (di), (dv) and (dx) in taking action under sub. (3). The department shall utilize these moneys to provide for the procurement, maintenance and storage of necessary equipment and supplies, personnel training and expenses incurred in locating, identifying, removing and disposing of abandoned containers.

(b) No more than 25% of the total of all moneys available under the appropriation under s. 20.370 (2) ~~(du)~~ (di), (dv) and (dx) may be used annually for the procurement and maintenance of necessary equipment during that fiscal year.

SECTION 1803e. 144.788 (2) (b) of the statutes is amended to read:

144.788 (2) (b) No person who is a certified commercial applicator under s. 94.705 (1) ~~(d)~~ or a certified nonresident commercial applicator under s. 94.705 (4) (e) may use the facility.

SECTION 1803fa. 144.794 (10) (g) of the statutes is created to read:

144.794 (10) (g) A description of the methods proposed to be used to meet the recycling requirements of sub. (17).

SECTION 1803fb. 144.794 (12) (a) of the statutes is amended to read:

144.794 (12) (a) The municipality shall notify those persons who are subject to the required use order at least 90 days prior to the effective date of that order. The municipality shall notify in writing all licensed collectors operating in the recycling or resource recovery area at least 90 days prior to the effective date of that order. The municipality shall notify other local units of government in the recycling or resource recovery area by providing a written notice to the clerk of those units of government. The municipality shall notify in writing the owner or operator of all solid waste disposal and treatment facilities located in or serving generators located in the recycling or resource recovery area at least 90 days prior to the effective date of that order. In addition, the municipality shall publish a class 3 notice, under ch. 985, in a newspaper having general circulation in the area. Each notification shall include information specified under sub. (11) (a) to (c). ~~In addition, each notification shall~~

include a statement that compensation may be available to affected solid waste facilities and services and a summary of the provisions in sub. (14).

SECTION 1803fc. 144.794 (12) (c) of the statutes is amended to read:

144.794 (12) (c) During the 90-day period following the notification, the municipality shall negotiate with any or all of the persons subject to or affected by the required use order and attempt to develop a contractual agreement on the terms of required usage of the facility ~~or to reach an agreement concerning compensation.~~

SECTION 1803fd. 144.794 (14) of the statutes is repealed.

SECTION 1803fe. 144.794 (17) of the statutes is created to read:

144.794 (17) INCINERATION; RECYCLING REQUIREMENTS. (a) In this subsection, "incinerator" means a device which maintains a controlled process by which solid waste is thermally altered into gases and residue containing little or no combustible material.

(b) A municipality which adopts a waste flow control ordinance may not operate an incinerator as one of the means of recycling solid waste unless the department certifies that the requirements of par. ~~(bc)~~ and (bg) are met.

~~(bc) The municipality may choose to satisfy all of the requirements in either of the following subdivisions:~~

1. At least 20% of the solid waste to be incinerated, as determined in the air permit under s. 144.391, is recycled by means other than incineration.

2. a. All of the waste separation and recycling collection facilities required under s. 144.794 are in operation. The municipality which promulgates a waste flow control ordinance or the owner or operator of the incinerator may operate any waste separation and recycling collection facility to satisfy the requirements of s. 144.794.

b. Mandatory source separation applies to at least 4 of the following solid wastes within the recycling or resource recovery service area: newspaper, glass cans, plastic milk bottles, plastic soft drink containers, other plastics, cardboard, waste oil or batteries.

c. Mandatory composting applies to all yard waste, including grass clippings and leaves, within the recycling or resource recovery service areas.

d. On a biennial basis, household hazardous waste is collected within the recycling or resource recovery service area and is properly disposed of, with emphasis on organic solvents and degreasers, pesticides and products containing heavy metals.

e. A review is undertaken of the feasibility of recycling lead-acid and mercury batteries.

(bg) Solid waste of each type to be incinerated, as determined in the air permit under s. 144.391, shall be recycled by means other than incineration to the ~~maximum extent of economic feasibility, as determined by the department.~~

**Vetoed
in Part**

**Vetoed
in Part**

**Vetoed
in Part**

Vetoed
in Part

(bn) The department shall establish standards by rule for determining the extent of economic feasibility for recycling by means other than incineration under par. (bg).

(c) A municipality which promulgates a waste flow control ordinance for the purpose of operating an incinerator shall provide the department with a report on the extent of recycling of solid waste generated within the recycling and resource recovery area to determine compliance with pars. (bc) and (bg). The municipality shall provide the report before the commencement of operation of a new incinerator, and biennially while an incinerator is in operation.

(d) The department shall review the recycling of solid waste generated within the recycling and resource recovery area, using the information in the reports under par. (c) and any other information available to the department. If the department determines before the commencement of operation of a new incinerator that the recycling does not meet the requirements of pars. (bc) and (bg), the municipality may not commence operation of the incinerator. If the department determines at any time while an incinerator is in operation that the recycling does not meet the requirements of pars. (bc) and (bg), the department shall use the enforcement process under s. 144.47. If, after a hearing, the department finds that the requirements of pars. (bc) and (bg) have not been met, the department's order under s. 144.47 (1) (b) shall require the municipality to cease operation of the incinerator until the department determines that the recycling meets the requirements of pars. (bc) and (bg). The department shall use the enforcement process under s. 144.47 to enforce this subsection whether or not the department issues an operating license for the incinerator under s. 144.44 (4).

(e) This subsection applies to incinerators in operation on and after July 1, 1989.

SECTION 1803fm. 144.798 of the statutes is created to read:

144.798 Waste tire removal and recycling. (1) DEFINITIONS. In this section:

(a) "Recovery activity" means a project designed to reduce the number or volume of waste tires, recycle waste tires or recover energy from waste tires.

Vetoed
in Part

(b) "Solid waste facility" has the meaning given under s. 144.43 (5).

(c) "Tire dump" has the meaning given under s. 144.449 (1) (b).

Vetoed
in Part

(d) "Waste tire" has the meaning given under s. 84.076 (1).

Vetoed
in Part

(2) PLAN. The department shall promulgate, by rule, a statewide plan for the use of moneys appropriated under s. 20.370 (2) (dw) to accomplish all of the following:

(a) The removal of waste tires from solid waste facilities.

(b) The recovery of rubber from waste tires for use in highway improvements, as defined under s. 84.06 (1).

(c) The providing of grants under sub. (3) for development costs or operating costs of innovative recovery activities which are administered by the department.

Vetoed
in Part

(d) Any recovery activity conducted by the department under sub. (3).

Vetoed
in Part

(3) GRANTS; ELIGIBILITY; APPLICATIONS. (a) A municipality, governmental body as defined in s. 19.82 (1), private business or nonprofit organization which meets eligibility requirements established by the department by rule may apply to the department for a grant for development costs or operating costs of an innovative recovery activity.

(b) A grant application shall comply with the department's requirements as to contents, form and manner of submission.

(c) No grant may be awarded for a recovery activity designed to reduce the number or volume of waste tires in a tire dump that receives less than 95% of its tires from Wisconsin retailers or residents.

(d) The department shall promulgate rules concerning requirements for the documentation of the sources from which a tire dump receives tires for the purpose of establishing eligibility under par. (c). The burden of proof shall be on the applicant to show that the eligibility requirement under par. (c) is met.

(4) GRANT AMOUNTS. In awarding grants, the department shall give a higher priority to applications for development costs than to applications for operating costs.

(5) OTHER RECOVERY ACTIVITIES BY DEPARTMENT. The department may conduct a recovery activity designed to reduce the volume of waste tires in a tire dump that does not receive at least 95% of its tires from Wisconsin retailers and residents if the department, after due diligence, is unable to recover nuisance abatement expenses under s. 144.449 (5) from a person responsible for a nuisance at a tire dump after the department has initiated abatement activities.

SECTION 1803g. 144.799 (4) (f) of the statutes is created to read:

144.799 (4) (f) Consideration of the implementation of innovative technologies in a waste reduction or recycling activity. No grant moneys may be awarded for costs of proven technologies, including, but not limited to, incinerator projects.

SECTION 1803h. 144.799 (4) (g) of the statutes is created to read:

144.799 (4) (g) Consideration of the application or implementation of innovative technologies in a project which employs a proven technology in a waste reduction or recycling activity. Notwithstanding par. (f), a project which employs a proven technology may receive grant moneys for that portion of the project

which implements innovative technologies and applications.

SECTION 1804m. 144.96 (3) (c) of the statutes is amended to read:

144.96 (3) (c) The annual fee shall be designed to generate revenues equal to ~~30%~~ 35% of the state cost of departmental activities for the administration of air pollution control under this section and ss. 144.30 to 144.42 and water resources under this section and ss. 144.025, 144.03 and 144.04 and ch. 147, except that the costs of departmental inland lake renewal activities under ch. 33, water supply activities under ss. 144.025 (2) ~~(h), (L)~~ and (r) and 144.04, high capacity well activities under s. 144.025 (2) (e) and solid waste activities under ss. 144.44 and 144.445 shall not be included in determining such costs.

SECTION 1805m. 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 s. 20.370 (2) (mc), 1985 stats., for the fiscal year immediately preceding the fiscal year of assessment.

SECTION 1805nb. 145.19 (2) of the statutes is amended to read:

145.19 (2) FEE. No fee for a sanitary permit may be less than ~~\$41~~ \$61, or the amount determined under department rule ~~adopted after July 2, 1983~~. The governing body for the governmental unit responsible for the regulation of private sewage systems may establish a fee for a sanitary permit which is more than ~~\$41~~ \$61, or the amount determined under department rule ~~adopted after July 2, 1983~~.

SECTION 1805nc. 145.19 (3) of the statutes is amended to read:

145.19 (3) (title) COPY OF PERMIT FORWARDED TO THE DEPARTMENT. The governmental unit responsible for the regulation of private sewage systems shall forward a copy of each valid sanitary permit and \$20, or the amount determined under department rule ~~adopted after July 2, 1983~~, of the fee to the department within 90 days after the permit is issued.

SECTION 1805nd. 145.20 (3) (c) of the statutes is amended to read:

145.20 (3) (c) If the governing body for a governmental unit responsible for the regulation of private sewage systems does not adopt a private sewage system ordinance meeting the requirements of s. 59.065 or if the governmental unit does not appoint personnel meeting the requirements of sub. (1) or if the governmental unit does not comply with the requirements of sub. (2) or s. 145.19 (3), the department may conduct hearings in the county seat upon 30 days' notice to the county clerk. As soon as practicable after the public hearing, the department shall issue a written decision regarding compliance with s. 59.065 or 145.19 (3) or sub. (1) or (2). If the department determines that there is a violation of these provisions, the governmental unit may not issue a sanitary permit for the

installation of a private sewage system until the violation is corrected.

SECTION 1830. 145.21 of the statutes is repealed.

SECTION 1831. 146.02 (1) of the statutes is amended to read:

146.02 (1) BLOOD TESTS. The attending physician or nurse certified under s. 441.15 shall cause every infant born in each hospital or maternity home, prior to its discharge therefrom, to be subjected to blood tests as specified by the department, including tests for phenylketonuria, galactosemia, maple syrup urine disease, neonatal hypothyroidism and such, sickle cell anemia or other causes of congenital disorders as the department directs. If the infant is born elsewhere than in a hospital or maternity home, the attending physician, nurse certified under s. 441.15 or birth attendant who attended the birth shall cause the infant, within one week of birth, to be subjected to these blood tests.

SECTION 1832. 146.02 (2) of the statutes is amended to read:

146.02 (2) (title) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM; FEES. The department shall contract with the state laboratory of hygiene to perform the tests required specified under this section and to furnish materials for use in the tests. The department shall provide the special diet required upon the recommendation of any physician who diagnoses a patient as having a congenital disorder that requires a special dietary treatment necessary diagnostic services, special dietary treatment as prescribed by a physician for an infant with a congenital disorder as identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and his or her family. The state laboratory of hygiene board, on behalf of the department, shall impose a fee for tests performed under this section sufficient to pay for services provided under the contract and shall include as part of this fee and pay to the department an amount the department determines is sufficient to fund the provision of diagnostic and counseling services, special dietary treatment and periodic evaluation of infant screening programs under this subsection. ~~From the fees collected under this subsection the state laboratory of hygiene board shall pay to the department an amount the department determines is sufficient to cover the cost of the special dietary treatment section.~~

SECTION 1833. 146.02 (5) of the statutes is amended to read:

146.02 (5) RELATED SERVICES. The department shall disseminate information to families whose children suffer from congenital disorders and to women of child-bearing age with a history of congenital disorders concerning the need for and availability of follow-up counseling and special dietary treatment and the necessity for testing infants. The department shall also refer families of children who suffer from congenital disorders to available health and social services

programs and shall coordinate the provision of these programs. The department shall periodically consult appropriate experts in reviewing and evaluating the state's infant screening programs.

SECTION 1833m. 146.022 of the statutes is created to read:

146.022 Services relating to acquired immunodeficiency syndrome. (1) DEFINITIONS. In this section:

(a) "HIV" means the human immunodeficiency virus that causes acquired immunodeficiency syndrome.

(b) "HIV infection" means the pathological state produced by a human body in response to the presence of HIV.

(c) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(d) "Organization" means a nonprofit corporation or a public agency which proposes to provide services to individuals with acquired immunodeficiency syndrome.

(e) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.

(2) DISTRIBUTION OF FUNDS. From the appropriations under s. 20.435 (1) (a) and (am), the department shall allocate a total of \$242,200 in each of state fiscal years 1987-88 and 1988-89 and from the appropriations under s. 20.435 (1) (mc) and (md) and (4) (m) the department shall allocate a total of \$318,100 in each of state fiscal years 1987-88 and 1988-89 for the provision of services to individuals with or at risk of contracting acquired immunodeficiency syndrome, as follows:

(a) *Partner referral and notification.* The department shall contact an individual known to have received an HIV infection and encourage him or her to refer for counseling and HIV testing any person with whom the individual has had sexual relations or has shared intravenous equipment.

(b) *Grants to local projects.* The department shall make grants to applying organizations for the provision of acquired immunodeficiency syndrome prevention information, the establishment of counseling support groups and the provision of direct care to persons with acquired immunodeficiency syndrome.

(c) *Prevention training for alcohol and drug abuse workers.* The department shall provide training for persons providing alcohol and other drug abuse services and counseling under s. 115.36 (3) or through county departments under s. 46.21, 46.23, 51.42 or 51.437, in order to enable these persons to educate individuals who are drug dependent with respect to the use of shared intravenous equipment and acquired immunodeficiency syndrome and its prevention.

(d) *Statewide public education campaign.* The department shall promote public awareness of the risk of contracting acquired immunodeficiency syndrome

and measures for acquired immunodeficiency syndrome protection by development and distribution of information through family planning clinics, offices of physicians and clinics for sexually transmitted diseases and by newsletters, public presentations or other releases of information to newspapers, periodicals, radio and television stations and other public information resources. The information would be targeted at individuals whose behavior puts them at risk of contracting acquired immunodeficiency syndrome and would encompass the following topics:

1. Acquired immunodeficiency syndrome and HIV infection.

2. Means of identifying whether or not individuals may be at risk of contracting acquired immunodeficiency syndrome.

3. Measures individuals may take to protect themselves from contracting acquired immunodeficiency syndrome.

4. Locations for procuring additional information or obtaining testing services.

(e) *Information network.* The department shall establish a network to provide information to local public health officers and other public officials who are responsible for acquired immunodeficiency syndrome prevention and training.

(f) *HIV seroprevalence studies.* The department shall perform tests for the presence of an antibody to HIV and conduct behavioral surveys among population groups determined by the department to be highly at risk of contracting acquired immunodeficiency syndrome. Information obtained shall be used to develop targeted acquired immunodeficiency syndrome prevention efforts for these groups and to evaluate the state's prevention strategies.

(g) *Grants for targeted populations and intervention services.* The department shall make grants to those applying organizations determined by the department to be best able to contact individuals determined to be highly at risk of contracting acquired immunodeficiency syndrome for the provision of acquired immunodeficiency syndrome information and intervention services.

~~(h) *Grants for follow-up care of persons with acquired immunodeficiency syndrome.* The department shall provide grants to up to 4 health departments that are selected by the department from among areas in this state with the highest numbers of individuals who have been diagnosed as having acquired immunodeficiency syndrome. The grants shall provide funding for the provision of follow-up care that shall include all of the following:~~

~~1. Community-oriented services for persons with acquired immunodeficiency syndrome and their families, including the provision of information on housing, alternatives to hospitalization, coordination of services and case management.~~

Vetoed
in Part

Vetoed
in Part

~~2. Information for education of the public concerning acquired immunodeficiency syndrome.~~
~~3. Training for health care providers who may treat individuals who have received an HIV infection.~~

(3) CONFIDENTIALITY OF INFORMATION. The results of any test performed under sub. (2) (f) are confidential and may be disclosed only to the individual who receives a test or to other persons with the informed consent of the test subject. Information other than that released to the test subject, if released under sub. (2) (f), may not identify the test subject.

SECTION 1834. 146.185 of the statutes is amended 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 authorized under this section and shall establish or designate an agency to administer that provision.

Vetoed
in Part

~~SECTION 1834m. 146.19 of the statutes is created to read:~~

~~146.19 Health services for adolescents. (1) In this section:~~

- ~~(a) "Adolescent" means a person who is at least 12 years of age but under the age of 20.~~
- ~~(b) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.~~
- ~~(c) "Organization" means a nonprofit corporation or a public agency which proposes to provide health services for adolescents.~~
- ~~(d) "Public agency" means a county, city, village, town or school district or an agency of this state or of a county, city, village, town or school district.~~
- ~~(e) "School-linked health services" means health services that are provided in a public school as defined in s. 108.02 (23), or in a location that is sufficiently near the grounds of a public school to permit ready access by the pupils of the school.~~

~~(2) From the appropriation under s. 20.435 (1) (eg), the department shall allocate \$280,600 in state fiscal year 1987-88 and \$1,018,300 in state fiscal year 1988-89 to provide grants to applying organizations for the establishment and maintenance of 5 clinics to provide school-linked health services in 4 urban counties in this state and for the provision of health services for adolescents in communities in 3 rural counties in this state. Funded organizations shall provide health services to adolescents which shall address primary health care needs of adolescents. The organization seeking a grant to provide these services must develop~~

~~a proposed service plan that is approved by the department.~~

Vetoed
in Part

SECTION 1835. 146.24 of the statutes is amended to read:

146.24 Certification of milk sheds. The department shall conduct sampling surveys of milk sheds in Wisconsin to the extent necessary to certify to the department of agriculture, trade and consumer protection, the U.S. public health service, and local health departments, the compliance rating of such milk sheds based upon the standards for grade A milk and grade A milk products of the department of agriculture, trade and consumer protection and the provisions of the recommended milk ordinance and code of the U.S. public health service. The department may act to monitor milk volume under this section, including requiring the monthly reporting of volume by individual dairy plants, and may promulgate rules establishing fees which may be charged to dairy plants to fund these activities.

SECTION 1836b. 146.37 (1) of the statutes is amended to read:

146.37 (1) No person acting in good faith who participates in the review or evaluation of the services of health care providers or facilities or the charges for such services conducted in connection with any program organized and operated to help improve the quality of health care, to avoid improper utilization of the services of health care providers or facilities or to determine the reasonable charges for such services, ~~or who participates in the hospital rate setting activities under ch. 54,~~ is liable for any civil damages as a result of any act or omission by such person in the course of such review or evaluation. Acts and omissions to which this subsection applies include, but are not limited to, acts or omissions by peer review committees or hospital governing bodies in censuring, reprimanding, limiting or revoking hospital staff privileges or notifying the medical examining board under s. 50.36 or taking any other disciplinary action against a health care provider or facility.

~~SECTION 1836c. 146.38 (3) (g) of the statutes is created to read:~~

Vetoed
in Part

~~146.38 (3) (g) To the department, with respect to a hospital, as defined in s. 50.33 (2), that is owned or operated by the state or by a local unit of government,~~

SECTION 1836g. 146.70 (1) (c) of the statutes is amended to read:

146.70 (1) (c) "Basic system" means a telecommunications system which automatically connects a person dialing the digits "911" to a designated public safety answering point in a public agency.

SECTION 1836gc. 146.70 (1) (gm) of the statutes is created to read:

146.70 (1) (gm) "Public safety answering point" means a facility to which a call on a basic or sophisticated system is initially routed for response, and on which a public agency directly dispatches the appropriate emergency service provider, relays a message to

the appropriate emergency service provider or transfers the call to the appropriate emergency services provider.

SECTION 1836gm. 146.70 (3) of the statutes is created to read:

146.70 (3) FUNDING FOR COUNTYWIDE SYSTEMS. (a) *Definitions.* In this subsection:

1. "Commission" means the public service commission.

2. "Costs" means the costs incurred by a service supplier after the effective date of this paragraph [revisor inserts date], in installing and maintaining the trunking and central office equipment used only to operate a basic or sophisticated system and the data base used only to operate a sophisticated system.

3. "Service supplier" means a telecommunications utility which provides exchange telephone service within a county.

4. "Service user" means any person, except the state, who is provided telephone service by a service supplier which includes access to a basic or sophisticated system.

(b) *Charge authorized.* A county by ordinance may levy a charge on all service users in the county to finance the costs related to the establishment of a basic or sophisticated system in that county under sub. (2) if:

1. The county has adopted by ordinance a plan for that system.

2. Every service user in that county has access to a system.

3. The county has entered into a contract with each service supplier in the county for the establishment of that system to the extent that each service supplier is capable of providing that system on a reasonable economic basis on the effective date of the contract and that contract includes all of the following:

a. The amount of nonrecurring charges service users in the county will pay for all nonrecurring services related to providing the trunking and central office equipment used only to operate a basic or sophisticated system established in that county and the data base used only to operate that sophisticated system.

b. The amount of recurring charges service users in the county will pay for all recurring services related to the maintenance and operation of a basic or sophisticated system established in that county.

c. Every provision of any applicable schedule which the service supplier has filed with the commission under s. 196.19 or 196.20, which is in effect on the date the county signs the contract and which is related to the provision of service for a basic or sophisticated system.

4. The charge is calculated, under a schedule filed under s. 196.19 or 196.20, by dividing the costs related to establishing a basic or sophisticated system in that county by the total number of exchange access lines,

or their equivalents, which are in the county and which are capable of accessing that system.

5. The charge is billed to service users in the county in a service supplier's regular billing to those service users.

6. Every public safety answering point in the system is in constant operation.

7. Every public safety agency in the county maintains a telephone number in addition to "911".

8. The sum of the charges under subd. 3. a and b does not exceed 25 cents each month for each exchange access line or its equivalent in the county if the county has a population of 500,000 or more, and does not exceed 40 cents each month for each exchange access line or its equivalent in any other county or combination of counties.

(c) If 2 or more counties combine under sub. (2) (b) to establish a basic or sophisticated system, they may levy a charge under par. (b) if every one of those counties adopts the same ordinance, as required under par. (b).

(d) Charges under par. (b) 3. a may be recovered in rates assessed over a period not to exceed 36 months.

(e) If a county has more than one service supplier, the service suppliers in that county jointly shall determine the method by which each service supplier will be compensated for its costs in that county.

(f) 1. Except as provided under subd. 2, a service supplier which has signed a contract with a county under par. (b) 3 may apply to the commission for authority to impose a surcharge on its service users who reside outside of that county and who have access to the basic or sophisticated system established by that county.

2. A service supplier may not impose a surcharge under subd. 1 on any service user who resides in any governmental unit which has levied a property tax or other charge for a basic or sophisticated system, except that if the service user has access to a basic or sophisticated system provided by the service supplier, the service supplier may impose a surcharge under subd. 1 for the recurring services related to the maintenance and operation of that system.

3. The surcharge under subd. 1 shall be equal to the charge levied under par. (b) by that county on service users in that county. A contract under par. (b) 3 may be conditioned upon the commission's approval of such a surcharge. The commission's approval under this paragraph may be granted without a hearing.

(g) No service supplier may bill any service user for a charge levied by a county under par. (b) unless the service supplier is actually participating in the county-wide operation of a basic or sophisticated system in that county.

(h) Every service user subject to and billed for a charge under this subsection is liable for that charge until the service user pays the charge to the service supplier.

(i) Any rate schedule filed under s. 196.19 or 196.20 under which a service supplier collects a charge under this subsection shall include the condition that the contract which established the charge under par. (b) 3 is compensatory and shall include any other condition and procedure required by the commission in the public interest. Within 20 days after that contract or an amendment to that contract has been executed, the service supplier which is a party to the contract shall submit the contract to the commission. The commission may disapprove the contract or an amendment to the contract if the commission determines within 60 days after the contract is received that the contract is not compensatory, is excessive or does not comply with that rate schedule. The commission shall give notice to any person, upon request, that such a contract has been received by the commission. The notice shall identify the service supplier and the county that have entered into the contract.

(j) A service supplier providing telephone service in a county, upon request of that county, shall provide the county information on its capability and an estimate of its costs to install and maintain trunking and central office equipment to operate a basic or sophisticated system in that county and the data base required to operate a sophisticated system.

SECTION 1836gp. 146.70 (10) (title) of the statutes is amended to read:

146.70 (10) (title) PENALTIES.

SECTION 1836gr. 146.70 (10) of the statutes is renumbered 146.70 (10) (a) and amended to read:

146.70 (10) (a) Any person who intentionally dials the telephone number "911" to report an emergency, knowing that the fact situation which he or she reports does not exist, shall be fined not less than \$50 nor more than ~~\$200~~ \$300 or imprisoned not more than 90 days or both for the first offense and shall be fined not more than \$10,000 or imprisoned not more than 5 years or both for any other offense committed within 4 years after the first offense.

SECTION 1836gt. 146.70 (10) (b) of the statutes is created to read:

146.70 (10) (b) Any person who disclosed or uses, for any purpose not related to the operation of a basic or sophisticated system, any information contained in the data base of that system shall be fined not more than \$10,000 for each occurrence.

SECTION 1836gv. 146.70 (11) of the statutes is amended to read:

146.70 (11) PLANS. Every public agency establishing a basic or sophisticated system under this section shall submit tentative plans for the establishment of the system as required under this section to ~~the every~~ local exchange telecommunications utility providing service within the respective boundaries of such public agency. The public agency shall submit final plans for the establishment of the system to the telecommunications utility and shall provide for the implementation of the plans.

SECTION 1836i. 146.81 (4) of the statutes is amended to read:

146.81 (4) "Patient health care records" means all records related to the health of a patient prepared by or under the supervision of a health care provider, but not those records subject to s. 51.30, reports collected under s. 69.186 or records of tests administered under s. 343.305 or fetal monitor tracings, as defined under s. 146.817 (1).

SECTION 1836k. 146.817 of the statutes is created to read:

146.817 Preservation of fetal monitor tracings. (1) In this section, "fetal monitor tracings" means documentation of the heart tones of a fetus during labor and delivery of the mother of the fetus that are recorded from an electronic fetal monitor machine.

(2) A health care provider may delete or destroy part or all of a patient's fetal monitor tracing only if 35 days prior to the deletion or destruction, the health care provider provides written notice to the patient. The notice shall be sent to the patient's last-known address and shall inform the patient of the imminent deletion or destruction of the fetal monitor tracing and of the patient's right, within 30 days after receipt of notice, to obtain the fetal monitor tracing from the health care provider. This notice requirement does not apply after 5 years after the fetal monitoring tracing was first made.

~~SECTION 1836m. 146.82(2)(a) 5 of the statutes is amended to read:~~

~~146.82(2)(a) 5. In response to a written request by any federal or state governmental agency to perform a legally authorized function, including but not limited to management audits, financial audits, program monitoring and evaluation, facility licensure or certification or individual licensure or certification. The private pay patient, except if a resident of a nursing home, may deny access granted under this subdivision by annually submitting to the a health care provider, other than a nursing home, a signed, written request on a form provided by the department. The provider, if a hospital or nursing home, shall submit a copy of the signed form to the patient's physician.~~

Vetoed
in Part

SECTION 1840e. 146.90 (4) (intro.), (a) and (b) of the statutes are amended to read:

146.90 (4) (intro.) ~~If so directed by the joint committee on finance, the~~ The department shall, by January 1, ~~1989~~ 1991, do all of the following:

(a) Conduct the ~~approved~~ pilot projects specified in sub. (4m) 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 1991.

Vetoed
in Part

SECTION 1840m. 146.90 (4m) of the statutes is created to read:

146.90 (4m) (a). The department, with the advice of the council on pilot projects for the uninsured, shall conduct all of the following pilot projects as described in the department's plan and recommendations submitted under subs. (1) and (2) to the joint committee on finance on December 29, 1986, except as provided in par. (c):

1. The individual voucher pilot project which will provide subsidies to low-income persons for the purpose of purchasing individual health care coverage.

2. The group plan subsidy pilot project which will provide subsidies to low-income persons for the purpose of purchasing group health insurance offered by the person's employer.

3. The pilot project coordinated with a study funded by the Robert Wood Johnson Foundation which will provide subsidies to low-income persons employed by firms not offering group health insurance for the purpose of purchasing health insurance if the person's employer decides to offer group health insurance.

4. The health insurance loan pilot project under which the state will guarantee loans made to low-income persons by private financial institutions for the purpose of purchasing health insurance.

5. The alternative health care coverage pilot project which will provide subsidies to persons for whom coverage under the individual voucher pilot project is not feasible or appropriate, for the purpose of contributing to the cost of obtaining health care coverage through the medical assistance program under ss. 49.45 to 49.47.

(am) 1. In addition to the pilot projects described in par. (a) 1 to 5, the department, with the advice of the council on pilot projects for the uninsured, shall conduct a 6th pilot project which, except as provided in subs. 2 to 4, is identical to the individual voucher pilot project under par. (a) 1.

2. The department shall select through a competitive bidding process one or more insurers, which may include organizations that offer health care plans under ch. 609, to offer to enrollees a health insurance policy which meets the minimum standards for policies purchased under the individual voucher pilot project. If no bids are received or if the department determines that the bids are excessive, the department shall negotiate with bidders or potential bidders and modify the 6th pilot project if necessary to produce reasonable bids.

3. Enrollees shall pay a program fee for a portion of the premium directly to the insurer providing health insurance coverage. The department shall determine the amount of the program fee which an enrollee is required to pay, according to an income-based pro-

gressive scale established under par. (b) 2. The department shall subsidize the cost of the insurance coverage by paying the insurer an amount equal to the difference between the program fee paid to the insurer and the amount of the premium.

Vetoed
in Part

4. The department shall implement the 6th pilot project only in areas where the primary health care program under s. 146.93 is operating.

(b). With respect to the pilot projects conducted under pars. (a) and (am), the department shall establish all of the following:

1. Income eligibility criteria that limit eligibility for a subsidy to persons with a net family income not greater than 175% of the federal poverty line, as defined under 42 USC 9902 (3).

2. A subsidy schedule according to an income-based progressive scale.

(c) 1. Notwithstanding sub. (2) (b) 1, when selecting a rural county in which to conduct the individual voucher pilot project under par. (a) 1 or the 6th pilot project under par. (am), the department shall consider only counties which have a population of less than 120,000 and which do not have a city with a population of more than 35,000.

2. A person enrolled in the individual voucher pilot project conducted in a rural county may purchase individual or group health care coverage, except a person may not purchase group health care coverage from his or her employer or the employer of his or her spouse. Notwithstanding par. (am) 1, this subdivision does not apply to a person enrolled in the pilot project conducted under par. (am).

3. The department shall, by June 30, 1988, conduct a survey in each area where a pilot project under par. (a) or (am) will be implemented to determine the number of persons residing in those areas who have health insurance coverage and certain social and economic characteristics of the persons residing in those areas.

SECTION 1840s. 146.90 (5) of the statutes is amended to read:

146.90 (5) The joint committee on finance shall decide, during the deliberations on the 1989-91 1991-93 biennial budget, whether and in what manner the programs should be implemented on a statewide basis.

SECTION 1840t. 146.91 of the statutes is created to read:

146.91 Long-term care insurance. (1) In this section, "long-term care insurance" means insurance that provides coverage both for an extended stay in a nursing home and home health services for a person with a chronic condition. The insurance may also provide coverage for other services that assist the insured person in living outside a nursing home including but not limited to adult day care and continuing care retirement communities.

(2) The department, with the advice of the council on long-term care insurance, the office of the commis-

sioner of insurance, the board on aging and long-term care and the department of employe trust funds, shall design a program that includes the following:

(a) Subsidizing premiums for persons purchasing long-term care insurance, based on the purchasers' ability to pay.

(b) Reinsuring by the state of policies issued in this state by long-term care insurers.

(c) Allowing persons to retain liquid assets in excess of the amounts specified in s. 49.47 (4) (b) 3g, 3m and 3r, for purposes of medical assistance eligibility, if the persons purchase long-term care insurance.

(3) The department shall collect any data on health care costs and utilization that the department determines to be necessary to design the program under sub. (2).

(4) The department shall, by September 1, 1988, submit a plan specifying the details of the program in sub. (2), including proposed legislation to implement the program, to the joint committee on finance and the standing committee for health issues in each house of the legislature.

(5) In designing the program, the department shall consult with the federal department of health and human services to determine the feasibility of procuring a waiver of federal law or regulations that will maximize use of federal medicaid funding for the program designed under sub. (2).

(6) The department, with the advice of the council on long-term care insurance, may examine use of tax incentives for the sale and purchase of long-term care insurance.

Vetoed in Part SECTION 1840v. 146.93 (title), (1) (a) and (4) (a) and (b) of the statutes are amended to read:

146.93 (title) Primary health care program. (1) (a) The department shall ~~develop and implement~~ maintain a program for the provision of primary health care services ~~for the period beginning October 1, 1985, to June 30, 1986 based on the primary health care program in existence on June 30, 1987.~~ The department may promulgate rules necessary to implement the program.

Vetoed in Part (4) (a) ~~The individual is either involuntarily unemployed or and is employed less than 25 hours per week available for work or is employed but unable to obtain group coverage.~~

(b) The individual's family income is not greater than 150% of the federal poverty line, as defined under 42 USC 9902 (2).

SECTION 1840x. 146.93 (1) (b) of the statutes is repealed.

Vetoed in Part SECTION 1841m. 146.93 (5) of the statutes is created to read:

146.93 (5) The department may modify the criteria under sub. (4) (a) to (c) in those counties in which both the program under this section and the program under s. 146.90 are implemented if the department determines that the modification is necessary in order to

~~adequately test the implementation of the program under s. 146.90.~~ **Vetoed in Part**

SECTION 1842. 146.96 of the statutes is repealed.

SECTION 1843. 146.99 of the statutes is amended to read:

~~146.99 Assessments. Commencing on July 20, 1985, 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~~ amounts authorized under s. 20.435 (1) (gp) 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).~~ **Vetoed in Part**

SECTION 1844m. 147.033 (title) of the statutes is amended to read:

147.033 (title) Groundwater fee; wastewater management fee.

SECTION 1845m. 147.033 of the statutes is renumbered 147.033 (1) and amended to read:

147.033 (1) (title) GROUNDWATER FEE. The holder of a permit under s. 147.02 shall pay \$100 to the department as a groundwater fee on January 1 if the permittee discharges effluent on land or if the permittee produces sludge from a treatment work which is disposed of on land. If the permittee discharges effluent on land and disposes of sludge from a treatment work on land, the permittee shall pay \$200 to the department as a groundwater fee on January 1. The moneys collected under this ~~section~~ subsection shall be credited to the groundwater fund.

SECTION 1846m. 147.033 (2) of the statutes is created to read:

147.033 (2) WASTEWATER MANAGEMENT FEE. (a) Any person holding a permit under s. 147.02 for a treatment work, except a person subject to s. 144.96 (3), shall pay a fee as follows:

1. For a treatment work with a design capacity of less than 0.05 million gallons per day, \$150 per year.

2. For a treatment work with a design capacity of at least 0.05 million gallons but less than 0.5 million gallons per day, \$400 per year.

3. For a treatment work with a design capacity of at least 0.5 million gallons but less than 5 million gallons per day, \$800 per year.

4. For a treatment work with a design capacity of at least 5 million gallons per day, \$1,800 per year.

(b) All moneys collected under par. (a) shall be credited to the appropriation under s. 20.370 (2) (bL).

SECTION 1846mb. 147.035 (5) of the statutes is created to read:

147.035 (5) NONAPPLICABILITY. This section does not apply to any water quality based effluent limitation established under s. 147.04 (5).

SECTION 1846mc. 147.04 (5) of the statutes is amended to read:

147.04 (5) MORE STRINGENT LIMITATIONS. The department shall establish more stringent effluent limitations than required under subs. (2) and (4) and shall require compliance with such water quality based effluent limitations in any permit issued, reissued or modified if these limitations are necessary to meet applicable water quality standards, treatment standards, schedules of compliance or any other state or federal law, rule or regulation. The department shall require compliance with these water quality based effluent limitations by no later than July 1, 1977, or by a later date as specified in the water quality standard, treatment standard, schedule of compliance or other state or federal law, rule or regulation.

SECTION 1846md. 147.05 (title) of the statutes is amended to read:

147.05 (title) Variances to water quality standard.

SECTION 1846me. 147.05 (1) to (3) of the statutes are repealed and recreated to read:

147.05 (1) DEFINITION. In this section, "variance" means a variance to a water quality standard adopted under s. 144.025 (2) (b).

(2) REQUEST FOR VARIANCE. (a) 1. When the department issues, reissues or modifies a permit to include a water quality based effluent limitation under s. 147.04 (5), the permittee may apply to the department for a variance from the water quality standard used to derive the limitation.

2. After an application for a variance is submitted to the department, the permittee is not required to comply with the water quality based effluent limitation under s. 147.04 (5) and the corresponding compliance schedule until the application is denied under par. (d) or sub. (4) (a) 2. ~~the department modifies the permit under sub. (4) (d) or the U.S. environmental protection agency objects in writing to the proposed permit modification.~~ All other provisions of the permit continue in effect except those for which a petition for review has been submitted under s. 147.20.

(b) 1. The department shall specify by rule the information which the permittee must include in the application. The permittee shall submit an application for a variance, ~~including all information required under this subdivision,~~ within 30 days after the department issues, reissues or modifies the permit.

2. If a permittee applies for a variance before the promulgation of rules under subd. 1, the permittee shall submit an application for a variance within 30 days after the department issues, reissues or modifies the permit. Within 15 days after receipt of the application, the department shall specify the information which the permittee must include in the application. The permittee shall provide the information within 30 days after receipt of the department's request.

3. In addition to the information required under subd. 1 or 2, the permittee may, within the time limits

specified in subd. 1 or 2, submit to the department any other information to support the request for a variance.

(c) The department may request additional information from the permittee within 30 days after receiving either the application under par. (b) 1 or the information under par. (b) 2. The permittee shall provide the additional information within 30 days after receipt of the department's request. An application is not complete until the additional information is provided to the department.

(d) If the permittee does not provide information as required under par. (b) or (c), the department shall deny the application.

(e) Within 30 days after the department receives a complete application for a variance, the department shall circulate to the parties in s. 147.03 (2) (c) a public notice of receipt of the application for a variance and of any deadlines for submission of written arguments on facts and law by interested parties. In the public notice, the department shall establish a deadline for submitting written comments on the application.

(3) TENTATIVE DECISION. The secretary shall issue a tentative decision on the variance within 120 days after receipt of a completed application. The department shall circulate the tentative decision to the parties in s. 147.03 (2) (c). The department shall provide a ~~15-day~~ period for written comments on the tentative decision.

SECTION 1846mg. 147.05 (4) of the statutes is renumbered 147.055.

SECTION 1846mh. 147.05 (4) of the statutes is created to read:

147.05 (4) FINAL DECISION ON VARIANCE. (a) 1. Within 90 days after expiration of the comment period under sub. (3), the secretary may approve all or part of a requested variance or modify and approve a requested variance if the permittee demonstrates, to a reasonable certainty, by the greater weight of the credible evidence, that the proposed water quality based effluent limitation, as applied to the permittee, will cause substantial and widespread adverse social and economic impacts in the area where the permittee is located.

2. Within 90 days after the expiration of the comment period under sub. (3), the secretary shall deny a requested variance if the permittee fails to make the demonstration required under subd. 1.

(b) If the secretary issues a decision under par. (a) 1, the secretary shall, as part of the decision, establish all permit conditions needed to implement the variance ~~and specify the plan which the permittee must implement to comply with sub. (5) (c) 2.~~

(c) Within 30 days after the date of the decision under par. (a) 1, the department shall issue the notice required under s. 147.03 (2) (b) and (c) of its intent to modify the permit to incorporate the decision to approve all or part of a variance or to modify and

Vetoed
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approve the variance. Section 147.03 (2) (d) does not apply to the proposed permit modification.

Vetoed
in Part

~~(d) If within 90 days after the date of the notice under par. (c), the U.S. environmental protection agency has not objected in writing to the proposed modification to accomplish a variance or part of a variance under par. (a) 1, the department shall modify the permit within 100 days after the date of notice under par. (c) to incorporate the decision under par. (a) 1 and applicable permit conditions under sub. (5).~~

~~(e) The decision under this subsection is reviewable under subch. III of ch. 227, except that ss. 227.40 to 227.46, 227.485 to 227.51 and 227.60 do not apply to the decision under this subsection.~~

SECTION 1846mo. 147.05 (5) of the statutes is repealed and recreated to read:

147.05 (5) CONDITIONS ON VARIANCES. (a) A variance applies only to the permittee requesting the variance and to the pollutant specified in the variance. A variance does not affect or require the department to modify the corresponding water quality standard adopted under s. 144.025 (2) (b).

Vetoed
in Part

~~(b) A variance applies for the term established by the secretary, but not to exceed 3 years. The term of the variance may not exceed the time that the secretary determines is necessary to achieve the water quality based effluent limitation.~~

Vetoed
in Part

~~(c) While the variance is in effect, the permittee shall:~~

Vetoed
in Part

~~1. Comply with an interim effluent limitation which is achievable by the permittee and which will result in reasonable progress toward achieving the water quality standard adopted under s. 144.025 (2) (b). The interim effluent limitation may not be less stringent than a categorical effluent limitation that applies to the permittee under s. 147.04 (2) or (4) or 147.06 or a toxic effluent standard that applies to the permittee under s. 147.07.~~

Vetoed
in Part

~~2. Investigate treatment technologies, process changes, wastewater reuse or other techniques that may result in compliance by the permittee with the water quality standard adopted under s. 144.025 (2) (b), and submit reports on the investigations at such times as required by the department.~~

(d) The department may impose additional conditions in the permit as necessary to administer the variance including, but not limited to, additional monitoring requirements.

SECTION 1846mq. 147.05 (6) to (10) of the statutes are created to read:

Vetoed
in Part

147.05 (6) RENEWAL. A variance may be renewed using the procedures in and subject to subs. (2) to (5). A variance may not be renewed if the permittee did not submit the reports required under sub. (5) (c) 2 or substantially comply with all other conditions of the variance.

(7) DELEGATION OF SECRETARY'S AUTHORITY. The secretary may designate an officer or employe of the

department to make any decision that the secretary is required to make under this section.

Vetoed
in Part

~~(8) No right to a hearing. Notwithstanding s. 227.42, there is no right to a hearing under this section.~~

(9) RELATION TO PERMIT REVIEW. If the secretary approves part or all of a variance or modifies and approves the variance under this section and the department issues a modified water quality based effluent limitation under s. 147.20 for the same substance, the permittee shall comply with the least stringent of the 2 effluent limitations.

(10) APPLICABILITY. (a) Subsections (2) to (5) do not apply if the water quality based effluent limitation results from the decision of the department under s. 147.20 to make the water quality based effluent limitation less stringent than the effluent limitation in the permit as issued, reissued or modified.

(b) Subsections (2) to (5) apply if the water quality based effluent limitation results from the decision of the department under s. 147.20 to make the water quality based effluent limitation more stringent than the effluent limitation in the permit as issued, reissued or modified.

(c) This section does not apply to the issuance, reissuance or modification of a permit to incorporate a toxic effluent standard or prohibition promulgated by rule under s. 147.035 (4) or 147.07.

SECTION 1846ms. 147.055 (title) of the statutes is created to read:

147.055 (title) Thermal effluent limitations.

SECTION 1846mt. 147.20 (1) (intro.) of the statutes is amended to read:

147.20 (1) (intro.) Any permit applicant, permittee, affected state or 5 or more persons may secure a review by the department of any permit denial, modification, suspension or revocation, the reasonableness of or necessity for any term or condition of any issued, reissued or modified permit, any proposed thermal effluent limitation established under s. 147.05 (4) 147.055 or any proposed water quality related based effluent limitation established under s. 147.05 (1) 147.04 (5). ~~The review under this section may not include issues regarding social and economic impacts which could be raised under s. 147.05.~~ Such review shall be accomplished in the following manner:

Vetoed
in Part

SECTION 1846mu. 147.20 (1) (am) of the statutes is created to read:

147.20 (1) (am) After a verified petition for review is filed and until the department issues a decision on the petition, the permittee is not required to comply with any term or condition, thermal effluent limitation or water quality based effluent limitation which is the subject of the petition. All other provisions of the permit continue in effect except those for which an application for a variance has been submitted under s. 147.05.

SECTION 1846mw. 147.20 (4) of the statutes is created to read:

147.20 (4) Subsections (1) and (2) do not apply to the modification of a permit which implements a decision under s. 147.05 or the denial of a request for a variance under s. 147.05. A proceeding under subs. (1) and (2) shall not be delayed pending completion of the review of a variance request under s. 147.05.

SECTION 1854n. 150.01 (4) of the statutes is repealed.

SECTION 1854r. 150.01 (7) of the statutes is repealed.

SECTION 1855. 150.01 (19) of the statutes is amended to read:

150.01 (19) "Statewide bed limit" means the maximum number of nursing home beds or beds in facilities primarily serving the developmentally disabled allowed to be licensed under ch. 50.

SECTION 1855g. 150.11 (1) and (2) of the statutes are amended to read:

150.11 (1) The department may refuse to issue or renew any license for a nursing home, ~~and any approval for a hospital,~~ that fails to comply with this chapter.

(2) No person may recover through charges or rates any depreciation, interest or principal payments or any operating expenses associated with a project subject to ~~this chapter subch. II~~ that does not have the department's approval.

SECTION 1855r. 150.11 (3) (a) and (b) of the statutes are amended to read:

150.11 (3) (a) If a project whose cost falls below the minimum threshold specified in s. 150.21 (3) or (4) ~~or 150.61 (1), (2) or (3)~~ incurs costs exceeding the threshold, the person who operates the project shall submit an application for the department's approval under s. 150.21 ~~or 150.61~~.

(b) If a project that has received the department's approval incurs a cost overrun, the person who operates the project shall submit another application for the department's approval under s. 150.21 ~~or 150.61~~.

SECTION 1856. 150.11 (3) (c) of the statutes is amended to read:

150.11 (3) (c) Any person required to submit an application under this subsection for the department's approval under s. 150.21 shall comply with the time limits for submission of applications under s. 150.33 (3) and (3m). The department shall afford an applicant under this subsection a reasonable time to obtain its approval but if it rejects the application it may refuse to issue or renew a license or approval, as specified in sub. (1), and costs associated with the project may not be recovered through charges or rates, as specified in sub. (2). If the department approves the project it shall impose a forfeiture on the person who operates the project of not less than 10% and not more than 50% of the costs exceeding the threshold under par. (a) or of the cost overrun under par. (b). Project approval takes effect only after payment of the forfeiture has been made.

SECTION 1857m. 150.15 of the statutes is repealed.

SECTION 1859. 150.21 (5) of the statutes is created to read:

150.21 (5) The partial or total conversion of a nursing home to a facility primarily serving the developmentally disabled or of a facility primarily serving the developmentally disabled to a nursing home.

SECTION 1860. 150.27 of the statutes is amended to read:

150.27 Limitation on per diem rates. The per diem rates stated in an application being reviewed under this subchapter are the maximum allowable reimbursement that may be granted by the department for the first full year following licensure of the new beds or completion of the approved project. If the medical assistance ~~reimbursement~~ facility payment formula under s. 49.45 (6m) generates per diem rates that are less than those stated in the application under review, the department shall use the lower rates.

SECTION 1861. 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 allocate fiscal resources most appropriately, the maximum number of licensed nursing home beds statewide is ~~51,959~~ 51,795 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 3,704.~~ The department may adjust these limits on licensed beds as provided in subs. (2) to (4) (6). The department shall also biennially recommend changes to this limit based on the following criteria:

SECTION 1862. 150.31 (1) (b) of the statutes is repealed.

~~SECTION 1863m. 150.31 (3m) of the statutes is created to read:~~

~~150.31 (3m) The department shall decrease the statewide bed limit specified in sub. (1) in nursing homes to account for any decreased use of nursing home beds under s. 46.206.~~

SECTION 1864. 150.31 (5) of the statutes is renumbered 150.31 (7) and amended to read:

150.31 (7) The department may not approve or license any additional nursing home beds if the addition of those beds would exceed the limits established under subs. (1) to (4) (6).

SECTION 1865. 150.31 (5) of the statutes is created to read:

150.31 (5) The department may decrease the statewide bedlimits specified in sub. (1) to account for any reduction of available beds not included under sub. (3) or (4), in accordance with criteria promulgated by rule.

Vetoed
in Part

SECTION 1866. 150.31 (6) of the statutes is renumbered 150.31 (8).

SECTION 1867. 150.31 (6) of the statutes is created to read:

150.31 (6) The department may adjust the statewide bed limits specified in sub. (1) to account for the partial or total conversion of nursing homes to facilities primarily serving the developmentally disabled or of facilities primarily serving the developmentally disabled to nursing homes. The department may promulgate rules limiting the number of nursing home beds converted under this subsection, allocating the beds so converted, and establishing standards for the limitation and allocation.

SECTION 1867m. 150.32 of the statutes is created to read:

150.32 Distinct-part facilities primarily serving the developmentally disabled. (1) Upon application to the department, the department may approve the operation for a period of time not to exceed 4 years of a distinct part of a nursing home as a facility primarily serving the developmentally disabled. Renewals of approvals initially granted under this subsection may be granted for periods of time not to exceed 4 years and only if all of the following conditions are met by the renewal applicant:

(a) Continued operation of the facility primarily serving the developmentally disabled meets the review criteria and standards under ss. 150.31 (6) and 150.39.

(b) There is continued need, as determined by the department, for the facility primarily serving the developmentally disabled in the health planning area in which the facility is located.

(c) Community-based services, including services developed under s. 46.278, are inappropriate for the individuals served in the facility primarily serving the developmentally disabled.

(2) The department may require that a nursing home seeking approval or a facility primarily serving the developmentally disabled seeking renewal under sub. (1) agree to reduce the size of the facility primarily serving the developmentally disabled, under a plan submitted by the facility and approved by the department, during the approval or renewal period, in order to reflect reduced service need or increased availability of community-based services providing long-term care.

(3) Notwithstanding s. 150.31 (6), the department may waive any minimum size limits established under s. 150.31 (6) for a facility with an approved plan under sub. (2).

(4) Notwithstanding s. 150.29, if initial approval of a facility primarily serving the developmentally disabled is not renewed under sub. (1) or if approval or renewal is conditioned upon the requirement of sub. (2), reconversion to nursing home beds of beds which may not be operated as part of a facility primarily serving the developmentally disabled does not require approval under s. 150.29.

SECTION 1868. 150.33 (title) and (1) of the statutes are amended to read:

150.33 (title) Applications for available beds. (1) At least once each year the department shall publish a class 2 notice under ch. 985 concerning the number of additional nursing home beds and beds in facilities primarily serving the developmentally disabled, if any, ~~to be allowed that are available under s. 150.31 or 150.40~~ in each of its health planning areas. The department shall ~~define~~ promulgate rules defining the boundaries of these areas ~~by rule~~. The notice shall state the procedures by which any person may apply ~~and receive~~ for approval for those beds.

SECTION 1869. 150.33 (2) of the statutes is repealed.

SECTION 1870. 150.33 (3) of the statutes is amended to read:

150.33 (3) The department shall provide forms for submitting applications but may only accept applications submitted within 60 days after it publishes a notice under sub. (1) ~~or (2)~~.

SECTION 1871. 150.33 (4) of the statutes is repealed and recreated to read:

150.33 (4) The department shall issue a class 2 notice under ch. 985 within 20 days after the date on which it declares all applications complete under sub. (3m), listing all applicants and describing their applications.

SECTION 1872. 150.34 of the statutes is created to read:

150.34 Other applications. (1) Any person intending to engage in activities subject to this subchapter not specified under s. 150.33 shall notify the department in writing of this intent at least 30 days prior to submitting an application for review. An application expires unless the department declares the application complete under sub. (2) within 365 days after the date the department receives notice of the applicant's intent to engage in the activity. The department shall provide forms for submitting applications under this section.

(2) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. The department shall declare the application complete on the date on which both the department and the applicable health systems agency receive all the required information.

(3) The department shall issue a class 2 notice under ch. 985 on or before the 20th day of the month following the month in which it declares an application complete under sub. (2), listing the applicant and describing the applicant's proposed activity.

SECTION 1873. 150.35 (title) of the statutes is amended to read:

150.35 (title) Review procedures.

SECTION 1874. 150.35 (1) of the statutes is renumbered 150.33 (3m) and amended to read:

150.33 (3m) The department shall review each application it receives for completeness. If the department finds that the application is incomplete, it shall notify the applicant of the information required within 10 working days after receiving the application. Each applicant shall provide any required additional information within 30 days following the closing date for accepting applications specified in ~~s. 150.33 sub. (3)~~. The department may not accept for review any incomplete application if it fails to receive the additional information within this 30-day period until it issues another public notice soliciting applications under ~~s. 150.33 (1) or (2) sub. (1)~~. The department shall declare the application complete on the date on which both the department and the applicable health systems agency receive all the required information.

SECTION 1875. 150.35 (2) of the statutes is amended to read:

150.35 (2) ~~The department shall issue a class 2 notice under ch. 985 within 20 days after the date on which it declares all applications complete under sub. (1), listing all applicants and describing their projects.~~ Each health systems agency shall hold a public meeting upon the request of an affected party to review projects applications under s. 150.33 or 150.34 seeking approval in its service area, at which all affected parties may present testimony. The health systems agency shall make recommendations on these projects applications within 60 days after the department issues its notice under s. 150.33 (4) or 150.34 (3) declaring all applications complete. The health systems agency shall keep minutes or other record of testimony presented at the public meeting and shall send a copy of this record, plus and its recommendations, to the department. If an applicant seeks approval of a project outside the service area of any health systems agency, the department shall conduct the public meeting under this subsection and formulate recommendations.

SECTION 1876. 150.35 (3) of the statutes is amended to read:

150.35 (3) ~~The~~ Except as provided under sub. (3m), the department shall issue an initial finding to approve or reject the project application within 75 days after the date it publishes its notice under sub. (2) s. 150.33 (4) or 150.34 (3), unless all applicants consent to an extension of this period. The department may extend by 60 days the review cycle of all projects applications being concurrently reviewed under sub. (2), if it finds that completing the reviews within 75 days after the date it publishes its notice under sub. (2) s. 150.33 (4) or 150.34 (3) is not practicable due to the volume of applications received from any health planning area. The department shall base its initial finding on a comparative analysis of applications, relying on the criteria specified in s. 150.39 and the recommendations

received from the health systems agency under sub. (2). The applicant has the burden of proving, by a preponderance of the evidence, that each of the criteria specified in s. 150.39 has been met or does not apply to the project. The department may approve fewer additional nursing home beds than allowed by the statewide bed limit if the cost of adding those beds exceeds the medical assistance allocation for new beds projected in s. 150.31 (1) (e). Unless an adversely affected applicant or health systems agency makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final action.

SECTION 1877. 150.35 (3m) of the statutes is created to read:

150.35 (3m) The department may receive any application which was developed under a plan of correction, as defined in s. 50.01 (4r), previously approved by the department and which does not add beds to the current licensed bed capacity of a health planning area, or any application involving a cost overrun submitted under s. 150.11 (3). Subsection (2) does not apply to these applications. The applicable health systems agency shall submit its recommendation on applications submitted under this subsection within 55 days after receipt of a complete application by both the health systems agency and the department. Within 60 days after it receives a completed application, the department shall, according to procedures it promulgates by rule, review the application and issue its initial finding. No public meeting need be held on any project submitted under this subsection. Unless an adversely affected applicant or health systems agency makes a timely request for a public hearing under sub. (4), the department's initial finding under this subsection is its final decision.

SECTION 1878. 150.35 (4) (a) and (b) (intro.) of the statutes are amended to read:

150.35 (4) (a) Any applicant whose project is rejected or any adversely affected health systems agency may request a public hearing to review the department's initial finding under sub. (3) or (3m), if the request is submitted in writing within 10 days after the department's decision. The department shall commence the hearing within 30 days after receiving a timely request, unless all parties consent to an extension of this period.

(b) (intro.) Sections 227.42 to 227.50 do not apply to hearings under this subsection. The department shall adopt promulgate rules to establish:

SECTION 1879. 150.40 (2) (a) of the statutes is amended to read:

150.40 (2) (a) Nursing home beds closed under a plan approved by the department under s. 46.277 (3) (b) or 46.278 (4) (b) 1, as a result of the relocation of former residents to community-based settings.

SECTION 1880. 150.43 (1) and (6) of the statutes are amended to read:

150.43 (1) The application and all supporting material received prior to the department's decision under s. 150.35 (3) or (3m).

(6) The department's findings and conclusions issued under s. 150.35 (3) or (3m).

SECTION 1881a. Subchapter III (title) of chapter 150 of the statutes is repealed and recreated to read:

CHAPTER 150
SUBCHAPTER III
GENERAL PROVISIONS

SECTION 1881c. 150.61 of the statutes is repealed.

SECTION 1881e. 150.613 of the statutes is repealed.

SECTION 1881f. 150.615 of the statutes is repealed.

SECTION 1881h. 150.62 of the statutes is repealed.

SECTION 1881i. 150.63 of the statutes is repealed.

SECTION 1881k. 150.65 of the statutes is repealed.

SECTION 1881L. 150.67 of the statutes is repealed.

SECTION 1881n. 150.69 of the statutes is repealed.

SECTION 1881o. 150.71 of the statutes is repealed.

SECTION 1881q. 150.73 of the statutes is repealed.

SECTION 1881r. 150.75 of the statutes is repealed.

SECTION 1881t. 150.79 of the statutes is repealed.

SECTION 1881u. 150.81 of the statutes is repealed.

SECTION 1881v. 150.83 (1) of the statutes is renumbered 150.83 and amended to read:

150.83 State medical facilities plan. The department shall adopt a state medical facilities plan at least once every 3 years that includes a description of the hospital system in the state and identifies needed or surplus hospital beds. Each plan, except the initial plan adopted under this ~~subsection~~ section, shall also include a description of needed and surplus health services plus other components the department finds useful.

SECTION 1881vm. 150.83 (2) of the statutes is repealed.

SECTION 1881y. 150.85 of the statutes is amended to read:

150.85 Subchapter applicability. ~~Sections 150.61 to Section 150.83 do~~ does not apply after July 1, 1989.

SECTION 1882m. 150.90 of the statutes is created to read:

150.90 Enforcement prohibited. Beginning on the effective date of this section [revisor inserts date], no person may do any of the following:

(1) Enforce the provisions of the capital expenditure review program under this subchapter or rules promulgated, orders issued or conditions imposed under the provisions of the capital expenditure review program under this subchapter in effect prior to the effective date of this subsection [revisor inserts date].

(2) Enforce the provisions of the certificate of need program under subch. II or rules promulgated, orders

issued or conditions imposed under the provisions of the certificate of need program under subch. II in effect prior to July 2, 1983.

SECTION 1883s. 157.02 (1) of the statutes is amended to read:

157.02 (1) NOTICE TO RELATIVES. When an inmate of any state, county or municipal institution dies, the superintendent or other person in charge of the institution shall immediately notify a relative of the decedent. A public officer having the possession or the disposition of a corpse shall immediately notify a relative of the decedent. If no relative is known, or discoverable by use of ordinary diligence, notice may be dispensed with. In addition, if the deceased had been an inmate of a state correctional institution, the department shall provide written notification to the relative informing him or her that the department, upon request, will provide a copy of any autopsy report or other report or information pertaining to the death. The department shall describe how the request may be made and shall promptly comply with any such request.

~~SECTION 1883t. 157.063 (4) of the statutes is amended to read:~~

~~157.063 (4) Whenever any cemetery in a town is falling into disuse, or is abandoned or neglected, and by reason of the removal or death of the persons interested in its upkeep there exists no association or group with authority to transfer such cemetery to the town, the town board, at the expense of the town, shall take charge of the cemetery and manage and care for it, and if the town board fails to do so, having notice thereof, the circuit judge may, upon petition by the district attorney of the county where the cemetery is located or upon petition by 6 or more persons interested in the upkeep of the cemetery, order its transfer to the town, including the transfer of all assets. Cemeteries so transferred shall be managed as provided for other town cemeteries.~~

SECTION 1884m. 157.70 (5) (d) of the statutes is created to read:

157.70 (5) (d) The director may charge a fee to recover the cost of excavation of a cataloged burial site under par. (c) 3 on the basis of the historical society's assessment of the costs associated with excavation of the cataloged site.

SECTION 1885. 165.055 (3) of the statutes is amended to read:

165.055 (3) The attorney general may appoint in the unclassified service a director of research and information services, ~~whose salary shall not exceed the maximum of range 15 in pay schedule 1 of the classified service.~~

SECTION 1885g. 165.50 (3) of the statutes is created to read:

165.50 (3) Except as provided in s. 20.001 (5), all moneys received as restitution payments reimbursing the department of justice for moneys expended in

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undercover investigations and operations shall be deposited as general purpose revenue — earned.

SECTION 1885m. 165.75 (5) of the statutes is created to read:

165.75 (5) Except as provided in s. 20.001 (5), all moneys received as restitution payments reimbursing the department for moneys expended by the laboratories shall be deposited as general purpose revenue — earned.

SECTION 1886b. 165.82 of the statutes is created to read:

165.82 Criminal history search fee. (1) Notwithstanding s. 19.35 (3), the department of justice shall impose the following fees for criminal history searches for purposes unrelated to criminal justice:

(a) For each record check requested by a governmental agency or nonprofit organization, \$2.

(b) For each record check by any other requester, \$10.

(2) The department of justice shall not impose fees for criminal history searches for purposes related to criminal justice.

SECTION 1886c. 165.825 of the statutes is created to read:

165.825 Criminal and juvenile justice. The department of justice shall:

(1) Collect from any state or local governmental entity information, data, reports, statistics or other material which is necessary to perform the department's duties and functions.

(2) Maintain a statistical analysis center to serve as a clearinghouse of justice system data and information and conduct justice system research and data analysis under s. 165.83 (2).

SECTION 1886e. 165.83 (2) (k) of the statutes is renumbered 165.83 (2) (s).

SECTION 1886g. 165.83 (2) (m) of the statutes is renumbered 165.83 (2) (t).

SECTION 1886i. 165.83 (2) (g) of the statutes is created to read:

165.83 (2) (g) Collect information concerning the number and nature of offenses known to have been committed in this state and such other information as may be useful in the study of crime and the administration of justice. The department may determine any other information to be obtained regarding crime and justice system statistics. The information shall include such data as may be requested by the federal bureau of investigation under its system of uniform crime reports for the United States.

SECTION 1886j. 165.83 (2) (r) of the statutes is created to read:

165.83 (2) (r) Furnish all reporting officials with forms or instructions or both which specify the nature of the information required under par. (g), the time it is to be forwarded, the method of classifying and any

~~other matters which facilitate collection and compilation.~~

~~SECTION 1886m. 165.83 (2) (u) of the statutes is created to read:~~

~~165.83 (2) (u) Cooperate with other agencies of this state, the crime information agencies of other states and the uniform crime reports system of the federal bureau of investigation in developing and conducting an interstate, national and international system of criminal statistics.~~

~~SECTION 1886p. 165.83 (3) of the statutes is created to read:~~

~~165.83 (3) All persons in charge of law enforcement agencies and other criminal and justice system agencies shall supply the department with the information described in sub. (2) (g) on the basis of the forms and instructions to be supplied by the department under sub. (2) (r).~~

SECTION 1888. 165.87 (1) (intro.) of the statutes is amended to read:

165.87 (1) FUND. (intro.) On or after July 2, 1983 the effective date of this subsection [revisor inserts date]:

SECTION 1889. 165.87 (1) (a) of the statutes is amended to read:

165.87 (1) (a) ~~Eleven-fifteenths~~ Eleven-nineteenths of all moneys collected from penalty assessments under this section shall be deposited in s. 20.455 (2) (i) and utilized in accordance with s. 20.455 (2) and 165.85 (5). The moneys deposited in s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (j) and (k), constitute the law enforcement training fund.

SECTION 1890. 165.87 (1) (b) of the statutes is amended to read:

165.87 (1) (b) ~~Two-fifteenths~~ Two-nineteenths of all moneys collected from penalty assessments under this section shall be deposited in s. 20.435 (3) (jp) and utilized in accordance with s. 46.057.

SECTION 1892a. 165.87 (1) (bn) of the statutes is created to read:

165.87 (1) (bn) Three-nineteenths of all moneys collected from penalty assessments under this section shall be deposited in and utilized in accordance with s. 20.420 (1) (g), except for moneys transferred to ss. 20.420 (1) (h) and 20.435 (4) (jk). In regard to any grant to any local unit of government for which the state is providing matching funds from moneys under this paragraph, the local unit of government shall provide matching funds equal to at least 10% ~~of the grant~~.

SECTION 1892b. 165.87 (1) (bn) of the statutes, as created by 1987 Wisconsin Act (this act), is amended to read:

165.87 (1) (bn) Three-nineteenths of all moneys collected from penalty assessments under this section shall be deposited in and utilized in accordance with s. 20.420 ~~(4)~~ 20.505 (6) (g), except for moneys trans-

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ferred to ss. 20.420 (1) (h) and 20.435 (4) (jk) and 20.505 (6) (h). In regard to any grant to any local unit of government for which the state is providing matching funds from moneys under this paragraph, the local unit of government shall provide matching funds equal to at least 10% of the grant.

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SECTION 1893. 165.87 (2) (a) of the statutes is amended to read:

165.87 (2) (a) On or after July 2, 1983 the effective date of this paragraph [revisor inserts date], whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for state laws or municipal or county ordinances involving nonmoving traffic violations, there shall be imposed in addition a penalty assessment in an amount of 15% 19% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

SECTION 1893p. 165.88 of the statutes is created to read:

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165.88 Law enforcement assistance. (1) In this section, "strike" includes any strike or other concerted stoppage of work by employees, or any concerted slowdown or other concerted interruption of operations or services by employees, or any concerted refusal to work or perform their usual duties as employees.

(2) The department of justice shall make payments to cities for costs incurred in calendar years 1987 and 1988. A city may apply for reimbursement for 50% of its law enforcement overtime costs which are incurred regarding maintenance of the peace at the site of any strike which is in active progress.

(3) The department of justice shall make payments from the appropriation under s. 20.455 (2) (je) to each city which is entitled to reimbursement under sub. (2) and which makes an application in accordance with rules promulgated under sub. (5), subject to the following limitations:

(a) A city shall not receive more than \$200,000 for costs incurred in any calendar year.

(b) The department of justice may not expend more than \$350,000 for costs incurred in any calendar year. If the total amount of the eligible claims for reimbursement under sub. (2) exceeds \$350,000 for a calendar year, the department shall prorate the payments.

(4) For costs incurred in calendar year 1987, the department shall make payments in fiscal year 1987-88. For costs incurred in calendar year 1988, the department shall make payments in fiscal year 1988-89.

(5) The department of justice shall promulgate rules to administer this section. On or before January 1, 1988, the department shall promulgate emergency rules under s. 227.24 to administer this section, regardless of whether the criteria under s. 227.24 (1) (a) have been met. Upon request, the department of

industry, labor and human relations shall provide the department of justice with technical assistance with rules pertaining to the determination of the existence of a strike.

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(6) This section does not apply on or after July 1, 1989.

SECTION 1894m. 166.03 (2) (a) 5 of the statutes is amended 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) (q) 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 1895. 166.03 (2) (b) 8 of the statutes is amended 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 this state's share of grants to individuals and to provide the state's share of grants 50% of any required state share of contributions to local governments as defined in 42 USC 5122 (b) (6) for major disaster recovery assistance. Payment of this state's share of any contribution to a local government under this subdivision is contingent upon copayment of 50% of that share by the local government, but not to exceed 12.5% of the total eligible cost of assistance.

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Vetoed in Part

SECTION 1895c. 167.26 (4) of the statutes is amended to read:

167.26 (4) This section shall not apply to ice holes caused by hydroelectric dams or by air bubbler systems installed by the corps of engineers for navigational purposes.

SECTION 1895e. 167.31 (4) (c) of the statutes is amended to read:

167.31 (4) (c) Subsection (2) (b) and (c) does not apply to the holder of a permit under s. 29.09 (9) who is hunting from a standing automobile motor vehicle, as defined in s. 29.09 (9) (a), in accordance with that subsection.

SECTION 1895g. 168.12 (1) of the statutes is amended to read:

168.12 (1) The department shall demand and receive within 2 weeks after demand, from the owner or other person for whom it inspects any petroleum product, an inspection fee at a rate prescribed by the department by rule for each 50 gallons from which the sample was taken. In addition to the inspection fee, the department shall charge a fee for each 50 gallons from which a sample was taken in an amount to be prescribed by the department by rule that would annually generate \$66,000 \$1,566,000 for fiscal years 1987-88 and 1988-89, and \$66,000 in the fiscal years

thereafter. Such fees shall be a lien on the products so inspected.

SECTION 1895gm. 168.12 (1m) of the statutes is created to read:

168.12 (1m) The department shall charge an additional oil inspection fee in an amount prescribed by the department that would annually generate \$5,000,000 plus the amounts in the schedule under s. 10.370 (2) (hr), except as provided under s. 144.4425 (2m) (a) and (b) and (3r), to be deposited in the petroleum storage environmental cleanup fund.

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SECTION 1896. 179.16 (4) of the statutes is repealed and recreated to read:

179.16 (4) The secretary of state shall charge and collect for:

(a) Answering a request for verification of the existence or the registration of a domestic or foreign limited partnership, its name, its current record office or agent, or the date of registration or filing of a certificate of limited partnership, the following amounts:

1. If written, \$4.
2. If conveyed by facsimile machine, \$7.

(b) Answering in writing a request for information specified in par. (a) plus a list of the names and addresses of the general partners and the address of the record office or, if a foreign limited partnership, its principal office or other such office required to be maintained in its state of organization, \$7; and, if the list of general partners exceeds one page, 50 cents for each additional page.

SECTION 1897. 179.16 (5) of the statutes is amended to read:

179.16 (5) The secretary of state shall charge and collect, for processing a document required or permitted to be filed under this chapter in an expeditious manner, or preparing a record the information under sub. (4) in an expeditious manner, \$25 in addition to the fee required by other provisions of this chapter.

SECTION 1898. 180.87 (1) (r) of the statutes is repealed and recreated to read:

180.87 (1) (r) Answering a request for verification of the existence or status of a domestic or foreign corporation, its name, its current registered office or agent, or the date of incorporation or issuance of a certificate of authority, the following amounts:

1. If written, \$4.
2. If conveyed by facsimile machine, \$7.

SECTION 1899. 180.87 (1) (rm) of the statutes is created to read:

180.87 (1) (rm) Answering in writing a request for information specified in par. (r) plus a list of the names and addresses of officers and directors, and the principal place of business of a domestic or foreign corporation, \$7; and, if the list of officers and directors exceeds one page, 50 cents for each additional page.

SECTION 1900. 180.87 (1) (t) of the statutes is amended to read:

180.87 (1) (t) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, or preparing a record the information under par. (r) or (rm) in an expeditious manner, \$25 in addition to the fee required by other provisions of this chapter.

SECTION 1901. 181.68 (1) (i) of the statutes is repealed and recreated to read:

181.68 (1) (i) Answering a request for verification of the existence or status of a corporation, its name, the name and address of its registered agent, or the date of incorporation, the following amounts:

1. If written, \$4.
2. If conveyed by facsimile machine, \$7.

SECTION 1902. 181.68 (1) (im) of the statutes is created to read:

181.68 (1) (im) Answering in writing a request for information specified in par. (i) plus a list of the names and addresses of officers and directors, and the corporation's principal office, \$7; and, if the list of officers and directors exceeds one page, 50 cents for each additional page.

SECTION 1903. 181.68 (1) (k) of the statutes is amended to read:

181.68 (1) (k) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, or preparing a record the information under par. (i) or (im) in an expeditious manner, \$25 in addition to the fee required by other provisions of this chapter.

SECTION 1903g. 182.24 of the statutes is amended to read:

182.24 Transfers from joint tenants. If any security issued by a corporation, whether or not organized or created under the laws of this state, is registered in the names of 2 or more individuals who are named in the registration as joint tenants, then any bank, broker, issuer, transfer agent or purchaser for value, acting either within or without this state in connection with a sale, exchange, transfer, redemption or retirement of such security, incurs no liability by reason of treating the interest created by such the registration as a joint tenancy and, if one or more of such the named individuals is deceased, incurs no liability by reason of treating the survivor or survivors as the owner or owners unless such the bank, broker, issuer, transfer agent or purchaser for value has actual knowledge of a contrary adjudication pursuant to under s. 867.04. Nothing in this section shall affect inheritance tax liability for failure to comply with s. 72.29 (2).

SECTION 1914. 185.83 (1) (intro.) and (a) to (c) of the statutes are amended to read:

185.83 (1) (intro.) The secretary of state shall charge and collect from any cooperative for filing:

(a) ~~Articles~~ Filing articles for a new cooperative, \$1.25 for each \$1,000 of authorized stock, but in no case less than \$25. A cooperative organized without capital stock shall pay a fee of \$25.

(b) ~~An~~ Filing 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 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.

(c) ~~Articles~~ Filing articles or decree of dissolution, \$5.

SECTION 1915. 185.83 (1) (f) of the statutes is repealed and recreated to read:

185.83 (1) (f) Answering a request for verification of the existence or status of an association, its name, the address of its principal office or the name and address of its registered agent, or the date of incorporation or issuance of a certificate of authority, the following amounts:

1. If written, \$4.
2. If conveyed by facsimile machine, \$7.

SECTION 1916. 185.83 (1) (fm) of the statutes is created to read:

185.83 (1) (fm) Answering in writing a request for information specified in par. (f) plus a list of the names and addresses of officers and directors, and the association's principal place of business, \$7; and, if the list of officers and directors exceeds one page, 50 cents for each additional page.

SECTION 1917. 185.83 (1) (g) and (h) of the statutes are amended to read:

185.83 (1) (g) ~~A~~ Filing a report of names and addresses of officers or directors, \$3.

(h) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, or preparing ~~a record~~ the information under par. (f) ~~or (fm)~~ in an expeditious manner, \$25 in addition to the fee required by other provisions of this chapter.

SECTION 1917e. 185.981 (1) to (4t) of the statutes are amended 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 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 pro-

vided 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 613.80. 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.

(4t) A sickness care plan operated by a cooperative association is subject to s. 632.87 (2m) and (3).

SECTION 1917f. 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 employes 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, 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 1917g. 185.983 (1) (intro.) of the statutes is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.31, 601.43, 601.44, 601.45, 611.67, 619.04, 632.79, 632.87 (2m) and (3) and 632.895 (5), subch. II of ch. 619 and chs. 609, 630 and 645, but the sponsoring association shall:

SECTION 1917m. 185.983 (3) (b) and (c) of the statutes are 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, ~~1988~~ 1989, or the effective date of the 1989-91 budget bill, whichever is later.

(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, ~~1988~~ 1989, or the effective date of the 1989-91 budget bill, whichever is later, the plan operated by the cooperative association shall comply with the requirements of par. (a), and if on or after July 1, 1988 1989, or the effective date of the 1989-91 budget bill, whichever is later, 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 1918. 186.29 (1p) (b) of the statutes is amended to read:

186.29 (1p) (b) *Mandatory possession.* The commissioner shall take possession of the business and property of a credit union that violates s. 186.34 (2) (b), unless the commissioner approves a consolidation under s. 186.31, and of a credit union that the commissioner is required to liquidate under sub. (1m) (b).

SECTION 1919. 186.34 (2) (b) of the statutes is amended to read:

186.34 (2) (b) Every credit union incorporated under this chapter prior to July 20, 1985, except a corporate central credit union, shall obtain a certificate of insurance issued by the national board within 42 54 months after July 20, 1985. The commissioner may extend for a period not to exceed 12 months the date by which a credit union must obtain a certificate of insurance upon satisfactory evidence that the credit union has made or is making a substantial effort to satisfy the conditions precedent to issuance of the certificate of insurance. Unless the commissioner approves a consolidation under s. 186.31, the commissioner shall liquidate under s. 186.29 any credit union that fails to comply with this paragraph.

SECTION 1920. 186.34 (3) (am) of the statutes is created to read:

186.34 (3) (am) The name of each credit union consolidated under s. 186.31 because it did not comply with sub. (2) (b), after the charters of all such credit unions have been canceled.

SECTION 1920m. 186.35 (3m) of the statutes is created to read:

186.35 (3m) **PROHIBITED USE OF FUNDS.** Notwithstanding subs. (2) and (3) (d), none of the corporation's funds may be used to assist member credit unions to meet the eligibility requirements for obtaining a certificate of federal share insurance under s. 186.34, unless the commissioner determines all of the following:

(a) The expenditure will enable a member credit union to obtain federal share insurance.

(b) The failure to use the corporation's funds to assist a member credit union to obtain federal share insurance will result in greater subsequent expenditures by the corporation.

SECTION 1920mg. 194.03 (5m) of the statutes is created to read:

194.03 (5m) In a case involving a claim by a common motor carrier in interstate commerce for freight charges:

(a) A person may assert as a defense to the claim the existence of a freight charge agreement between the person and the motor carrier which applies to the carriage of the freight at issue and which has not been filed as a tariff with the interstate commerce commission.

(b) A court shall request the interstate commerce commission or other appropriate federal agency to issue an advisory opinion on any issue which the court determines is within the primary jurisdiction of that agency.

SECTION 1920mr. 195.28 (3) of the statutes is amended to read:

195.28 (3) **MAINTENANCE COSTS.** Except as otherwise provided in this subsection, the cost of maintaining crossing protection devices ordered under sub. (1) shall be the responsibility of the railroad. Any railroad company that incurs expenses for maintenance

of signals or other safety devices may file a claim for reimbursement with the department regardless of the date of installation of the signals or devices. At the close of each fiscal year the department shall reimburse claimants under this subsection for 50% of the costs, as determined by the office, incurred for maintenance of railroad protection devices from the appropriation under s. 20.395 (2) ~~(gr)~~ (gq). If the amount in this appropriation is not adequate to fund maintenance reimbursement under this subsection, the amount shall be prorated in the manner determined by the office among the claimants filing claims for reimbursement which exceed \$100,000 in total amount.

SECTION 1920o. 196.01 (2) of the statutes is amended to read:

196.01 (2) "Cellular mobile service provider" means a cellular mobile radio telecommunications utility subject to s. 196.202 (4) (a) or (b).

Vetoed
in Part

~~SECTION 1920oc. 196.03 (3) of the statutes is renumbered 196.03 (3) (a) and amended to read:~~

~~196.03 (3) (a) In the case of a public water utility furnishing water, the commission shall include, in the determination of water rates, the cost of fluoridating the water in the area served by the public water utility if the governing body of the municipality which owns or is served by the public water utility authorizes the fluoridation of water by the public water utility.~~

~~SECTION 1920od. 196.03 (3) (b) of the statutes is created to read:~~

~~196.03 (3) (b) In the case of a public utility furnishing water, the charges for the production, storage, transmission, sale and delivery or furnishing of water for fire protection purposes shall be included in each customer's bill for water unless the municipality contracts with the public utility to pay the charges.~~

SECTION 1920og. 196.202 (2) of the statutes is amended to read:

196.202 (2) SOLE UTILITY REGULATED. Except as provided under subs. (3) and (4), no cellular mobile radio telecommunications utility is subject to this chapter ~~unless it is the only provider of any specific type of telecommunications service within the geographic service area in which it is authorized to operate by the federal communications commission under 47 USC 154 (i).~~

SECTION 1920om. 196.202 (4) of the statutes is renumbered 196.202 (4) (a).

SECTION 1920or. 196.202 (4) (b) of the statutes is created to read:

196.202 (4) (b) A cellular mobile radio telecommunications utility is subject to s. 196.203 if it is the only provider of any specific type of telecommunications service within the geographic service area in which it is authorized to operate by the federal communications commission under 47 USC 154 (i).

SECTION 1920s. 196.856 (1) of the statutes is amended to read:

196.856 (1) The commission shall annually assess against the major utilities, as defined under s. 144.386 (1) (f), the total, not to exceed \$400,000, of the amounts appropriated under ss. 20.155 (1) (i), 20.370 (2) (cj) and 20.505 (1) (jm) for acid deposition studies, including the nitrogen oxide study under s. 144.389 (3), and evaluation and monitoring activities conducted by ~~the commission,~~ the department of natural resources and the department of administration.

SECTION 1920u. 196.857 of the statutes is created to read:

196.857 Stray voltage program assessment. The commission shall assess in every fiscal year against public utilities and cooperative associations organized under ch. 185 and producing or furnishing electricity the total of the amount appropriated for that fiscal year under s. 20.115 (8) (j) and deposit that amount in the appropriation under s. 20.115 (8) (j).

SECTION 1921e. 215.02 (1) of the statutes is amended to read:

215.02 (1) QUALIFICATIONS, APPOINTMENT AND DUTIES OF DEPUTY COMMISSIONER. No person is eligible for appointment as deputy commissioner unless he or she has had at least 3 years' actual experience in a savings and loan association or serving in a savings and loan supervisory authority, or a combination of both. The commissioner shall appoint the deputy commissioner, ~~with the consent of the review board,~~ subject to s. 15.04 (2) and (3). The deputy commissioner shall possess all powers and perform the duties of the commissioner during a vacancy in that office and during the absence of or inability of the commissioner to serve.

SECTION 1921g. 218.01 (6) (bn) of the statutes is amended to read:

218.01 (6) (bn) 1. Except as provided in subd. 3, the finance charge in a retail instalment sale which is a consumer transaction as defined in s. 421.301 (13) made on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ or the refinancing, renewal, extension or modification on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ of any such retail instalment sale, excluding the cost of insurance, may not exceed the maximum rate provided in s. 422.201 (2) (bm).

2. For any retail instalment sale which is not a consumer transaction as defined in s. 421.301 (13) and is made on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ or for any refinancing, renewal, extension or modification on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ of any such retail instalment sale, the maximum finance charges under pars. (b) and (bm) do not apply.

3. For any retail instalment sale of a mobile home as defined in s. 218.10 (2) made on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987,~~ or for any refinancing, renewal, extension or modification on or after November 1, 1981

and before November 1, 1984, ~~or after October 31, 1987,~~ of any such retail instalment sale, the maximum finance charges under pars. (b) and (bm) do not apply.

SECTION 1921r. 218.01 (6) (bp) of the statutes is amended to read:

218.01 (6) (bp) A retail instalment sale made after October 31, 1984 ~~and before November 1, 1987,~~ is not subject to any maximum finance charge limit.

SECTION 1922. 227.01 (13) (jo) of the statutes is amended to read:

227.01 (13) (jo) Relates to any of the procedures authorized or directed under s. 46.25 (9) (b) ~~to (d) or (c).~~ This paragraph applies after December 31, 1986.

SECTION 1923. 227.01 (13) (x) of the statutes is amended to read:

227.01 (13) (x) Establishes rental policies for state-owned housing ~~approved by the joint committee on finance~~ under s. 16.004 (8).

SECTION 1923c. 227.01 (13) (zd) of the statutes is created to read:

227.01 (13) (zd) Establishes procedures for oil inspection fee collection and setting an oil inspection fee under s. 144.4425 (2m).

SECTION 1928g. 227.53 (1) (a) of the statutes is renumbered 227.53 (1) (a) I and amended to read:

227.53 (1) (a) 1. Proceedings for review shall be instituted by serving a petition therefor personally or by certified mail upon the agency or one of its officials, and filing the petition in the office of the clerk of the circuit court for the county where the judicial review proceedings are to be held. If the agency whose decision is sought to be reviewed is the tax appeals commission, the banking review board or the consumer credit review board, the credit union review board or the savings and loan review board, the petition shall be served upon both the agency whose decision is sought to be reviewed and the corresponding named respondent, as specified under par. (b) 1 to 4.

2. Unless a rehearing is requested under s. 227.49, petitions for review under this paragraph shall be served and filed within 30 days after the service of the decision of the agency upon all parties under s. 227.48. If a rehearing is requested under s. 227.49, any party desiring judicial review shall serve and file a petition for review within 30 days after service of the order finally disposing of the application for rehearing, or within 30 days after the final disposition by operation of law of any such application for rehearing. The 30-day period for serving and filing a petition under this paragraph commences on the day after personal service or mailing of the decision by the agency.

3. If the petitioner is a resident, the proceedings shall be held in the circuit court for the county where the petitioner resides, except that if the petitioner is an agency, the proceedings shall be in the circuit court for the county where the respondent resides and except as provided in ss. 77.59 (6) (b), 182.70 (6) and 182.71 (5) (g). The proceedings shall be in the circuit court for

Dane county if the petitioner is a nonresident. If all parties stipulate and the court to which the parties desire to transfer the proceedings agrees, the proceedings may be held in the county designated by the parties. If 2 or more petitions for review of the same decision are filed in different counties, the circuit judge for the county in which a petition for review of the decision was first filed shall determine the venue for judicial review of the decision, and shall order transfer or consolidation where appropriate.

SECTION 1931. 230.04 (13) of the statutes is created to read:

230.04 (13) The secretary shall do all of the following:

(a) Establish standards for plans to increase state employment of recipients of aid under s. 49.19 prepared by agencies under s. 230.147 (1). The standards shall state the time periods within which these plans shall be prepared.

(b) Review and approve or disapprove plans prepared under s. 230.147 (1) to ensure compliance with the standards established under par. (a).

(c) Monitor, evaluate and make recommendations to agencies to improve progress toward meeting the goal in s. 230.147 (1).

(d) Annually, prepare and submit to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a summary of agency progress and recommended actions toward meeting the goal in s. 230.147 (1).

SECTION 1931m. 230.048 ~~(1) (2) and (3) (a) (intro.)~~ of the statutes are amended to read:

~~230.048 (1) The department shall develop a pilot proposal proposals for administration of a one or more day care facility facilities located at or near a place places 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 facilities. The day care provider providers shall charge a fee to state employees whose children receive day care services at the facility facilities.~~

(2) The department shall fund 90% of the salary of a the start-up salaries of day care facility director for 6 months staff and 90% of the costs of equipment and of facility rental and remodeling from up to the limits of funds included in the appropriation under s. 20.512 (1) (b).

~~(3) (a) (intro.) The department shall prepare, with respect to the pilot day care facility in the city of Madison, a preliminary report and a final report evaluating all of the following.~~

SECTION 1931mg. 230.048 (4) of the statutes is created to read:

230.048 (4) The department shall do all of the following:

(a) Contract with day care providers under sub. (1) to set fees charged to an employe for day care services

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

under this section according to the employe's ability to pay.

Vetoed in Part (b) ~~Prohibit~~ ~~not to~~ establish and administer the fee structure under par. (a).

SECTION 1933a. 230.08 (2) (e) 1 of the statutes is repealed and recreated to read:

230.08 (2) (e) 1. Administration — 9.

SECTION 1934. 230.08 (2) (e) 2 of the statutes is amended to read:

230.08 (2) (e) 2. Agriculture, trade and consumer protection — 7 6.

SECTION 1936. 230.08 (2) (e) 3m of the statutes is created to read:

230.08 (2) (e) 3m. Educational communications board — 4.

SECTION 1938. 230.08 (2) (e) 10 of the statutes is amended to read:

230.08 (2) (e) 10. Regulation and licensing — 3 4.

SECTION 1938d. 230.08 (2) (fo) of the statutes is created to read:

230.08 (2) (fo) The executive secretary and personnel of the legislative council.

Vetoed in Part SECTION 1938i. 230.08 (2) (fk) of the statutes is created to read:

230.08 (2) (fk) The research director of the joint survey committee on retirement systems.

SECTION 1939. 230.08 (2) (fs) of the statutes is created to read:

230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04 (2) and executive assistants to department secretaries appointed under s. 15.05 (3), including those appointed by the attorney general and superintendent of public instruction.

SECTION 1940. 230.08 (2) (g) of the statutes is amended to read:

230.08 (2) (g) ~~One deputy or assistant and one stenographer of~~ appointed by each elective constitutional executive officer, and one deputy or assistant appointed by each elective executive officer except the attorney general and superintendent of public instruction.

SECTION 1941. 230.08 (2) (L) 1m of the statutes is created to read:

230.08 (2) (L) 1m. Council on criminal justice.

SECTION 1941a. 230.08 (2) (L) 1m of the statutes, as created by 1987 Wisconsin Act (this act), is repealed.

SECTION 1941m. 230.08 (2) (mp) of the statutes is repealed.

SECTION 1943. 230.08 (2) (q) of the statutes is amended to read:

230.08 (2) (q) The state public defender and staff attorney positions in the office of the state public defender.

SECTION 1945. 230.08 (2) (t) of the statutes is repealed.

SECTION 1946. 230.08 (2) (we) of the statutes is created to read:

230.08 (2) (we) Professional staff members of the educational communications board authorized under s. 39.13 (2).

SECTION 1947. 230.08 (2) (wr) of the statutes is repealed.

SECTION 1948. 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 outside the classified service. In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the public defender board, the educational communications board and the board of vocational, technical and adult education and "commission" means the public service commission. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

SECTION 1952. 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the secretary determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance under s. 13.10, or as specified by the governor creating positions under s. 16.505 (1) (c) or (2) or the board of regents of the university of Wisconsin system creating positions under s. 16.505 (2m), or is different than that of the previous incumbent, the secretary shall notify the administrator and the secretary of administration. The administrator shall withhold action on the selection and certification process for filling the position. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, ~~or the intent of the joint committee on finance acting under s. 13.10, or the intent of the governor creating positions under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the university Wisconsin system creating positions under s. 16.505 (2m).~~ The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

~~SECTION 1952m. 230.10 (2) of the statutes is amended to read:~~

~~230.10 (2) The compensation plan in effect at the time that a representative is recognized or certified to represent employes in a collective bargaining unit and the employe salary and benefit provisions under s. 230.12 (3) (c) in effect at the time that a representative is certified to represent employes in a collective bar~~

Vetoed in Part

Vetoed
in Part

~~gaining unit under subch. V of ch. 111 constitutes the compensation plan or employe salary and benefit provisions for employes in the collective bargaining unit until a collective bargaining agreement becomes effective for that unit. If a collective bargaining agreement under subch. V of ch. 111 expires prior to the effective date of a subsequent agreement, and a representative continues to be recognized or certified to represent employes specified in s. 111.81 (7) (a) or employes who have voted to merge a collective bargaining unit with such employes or a representative continues to be certified to represent solely employes specified in s. 111.81 (7) (b) or (c) in that collective bargaining unit, the wage rates of the employes in such a unit shall be frozen until a subsequent agreement becomes effective, and the compensation plan under s. 230.12 and salary and benefit changes adopted under s. 230.12 (3) (e) do not apply to employes in the unit.~~

SECTION 1957. 230.147 (1) of the statutes is amended to read:

230.147 (1) Each appointing authority of an agency with more than 100 authorized permanent full-time equivalent positions shall prepare and implement steps a plan of action to employ persons who, at the time they commence employment with the agency, receive aid under s. 49.19 with the goal of making the ratio of those persons occupying permanent positions in the agency to the total number of persons occupying permanent positions in the agency equal to the ratio of the average case load receiving aid under s. 49.19 in this state in the previous fiscal year, as determined by the department of health and social services, to the average number of persons in the state civilian labor force in the preceding fiscal year, as determined by the department of industry, labor and human relations.

SECTION 1957m. 230.147 (3) of the statutes is created to read:

230.147 (3) Notwithstanding subs. (1) and (2), the state fair park board shall make every reasonable effort to employ in permanent full-time equivalent positions persons who, at the time they commence employment with the state fair park board, receive aid under s. 49.19. The state fair park board shall consult with the department of employment relations to assure that its efforts under this subsection comply with ch. 230.

SECTION 1959. 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, special criminal investigation agent employed by 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 aide, building construction superintendent, fire fighter employed at the Wisconsin veterans home, or guard or institutional aide 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 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 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 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~~ 70% of his or her base salary as paid prior to the injury, with no deduction from reduction in sick leave credits, compensatory time for overtime accumulations or vacation and no reduction in the rate of earning sick leave credit 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 1960b. 231.01 (1) of the statutes is amended to read:

231.01 (1) "Authority" means the Wisconsin health and educational facilities authority.

SECTION 1960d. 231.01 (4) (a), (b) 1 and 2 and (c) of the statutes are amended to read:

231.01 (4) (a) "Cost" means the sum of all costs incurred by a participating health institution or participating educational institution, as approved by the authority, as are reasonable and necessary to accomplish the project, exclusive of any private or federal, state or local financial assistance received by the participating health institution or participating educational institution for the payment of the project cost.

(b) 1. The cost incurred by or on behalf of the participating health institution or participating educational institution of all necessary developmental, planning and feasibility studies, surveys, plans and specifications, architectural, engineering, legal or

other special services, the cost of acquisition of land and any buildings and improvements on the land, site preparation and development including demolition or removal of existing structures, construction, reconstruction and equipment, including machinery, fixed equipment and personal property.

2. The reasonable cost of financing incurred by a participating health institution or participating educational institution in the course of the development of the project to the occupancy date.

(c) All rents and other net revenues from the operation of the real property, improvements or personal property on the project site by a participating health institution or participating educational institution on and after the date on which the contract between a participating health institution or participating educational institution and the authority was entered into, but prior to the occupancy date, shall reduce the sum of all costs in this subsection.

SECTION 1960f. 231.01 (4m) of the statutes is amended to read:

231.01 (4m) "Educational facility" means a regionally accredited, private, nonprofit, postsecondary educational institution.

SECTION 1960g. 231.01 (5) (a) 4 of the statutes is created to read:

231.01 (5) (a) 4. Any institution, place, building or agency which conforms to all of the following:

a. Provides medical services, nursing services or personal care services, as defined in s. 647.01 (6) to (8), in addition to maintenance services, as defined in s. 647.01 (5), to a person under a contract for the duration of the person's life or for a term of more than 12 months.

b. Is not operated for profit.

c. Is owned by one or more governmental units or by one or more organizations described in section 501 (c) (3) of the internal revenue code, as defined in s. 71.02 (2) (d).

SECTION 1960h. 231.01 (5w) of the statutes is created to read:

231.01 (5w) "Participating educational institution" means a corporation, agency or association which is authorized by state law to provide or operate an educational facility and which undertakes the financing and construction or acquisition of a project or undertakes the refunding or refinancing of obligations or of a mortgage or of advances as provided in this chapter.

SECTION 1960j. 231.01 (7) (a) 1 of the statutes is amended to read:

231.01 (7) (a) 1. A specific health facility or educational facility work or improvement to be refinanced, acquired, constructed, enlarged, remodeled, renovated, improved, furnished or equipped by the authority with funds provided in whole or in part under this chapter.

SECTION 1960n. 231.01 (7) (a) 4 of the statutes is amended to read:

231.01 (7) (a) 4. Any structure useful for the operation of a health facility or educational facility, including ~~parking and other~~ facilities or ~~other~~ supporting service structures essential or convenient for the orderly conduct of the health facility or educational facility, except that "project" does not include a parking structure or facility for an educational facility.

SECTION 1960q. 231.01 (7) (c) of the statutes is amended to read:

231.01 (7) (c) "Project" may include any combination of projects undertaken jointly by any participating health institution or participating educational institution with one or more other participating health institutions or participating educational institutions.

SECTION 1960s. 231.02 (1) of the statutes is amended to read:

231.02 (1) There is created a public body politic and corporate to be known as the "Wisconsin Health and Educational Facilities Authority". The authority shall consist of 7 members nominated by the governor, and with the advice and consent of the senate appointed for staggered 7-year terms. Members shall be residents of the state, and not more than 4 may be members of the same political party. The terms of the members of the authority expire on June 30, one in each succeeding year. Each member's appointment remains in effect until a successor is appointed. Annually, the governor shall appoint one member as chairperson and the authority shall elect one member as vice chairperson.

SECTION 1960w. 231.02 (6) (b) of the statutes is amended to read:

231.02 (6) (b) Notwithstanding any other provision of law, it is not a conflict of interest or violation of this section or of any other law for a trustee, director, officer or employe of a participating health institution or participating educational institution or for a person having the required favorable reputation for skill, knowledge and experience in state and municipal finance or for a person having the required favorable reputation for skill, knowledge and experience in the field of health facility or educational facility architecture to serve as a member of the authority; if in each case to which par. (a) is applicable, the trustee, director, officer or employe of the participating health institution or participating educational institution abstains from discussion, deliberation, action and vote by the authority in specific respect to any undertaking pursuant to this chapter in which his participating health institution or participating educational institution has an interest, or the person having the required favorable reputation for skill, knowledge and experience in state and municipal finance abstains from discussion, deliberation, action and vote by the authority in specific respect to any sale, purchase or ownership of bonds of the authority in which any business of which such person is a participant, owner, officer or employe has a past, current or future interest, or such person having the required favorable rep-

utation for skill, knowledge and experience in the field of health facility or educational facility architecture abstains from discussion, deliberation, action and vote by the authority in specific respect to construction or acquisition of any project of the authority in which any business of which such person is a participant, owner, officer or employe has a past, current or future interest.

SECTION 1960y. 231.03 (5) of the statutes is amended to read:

231.03 (5) Determine the location and character of any project to be financed under this chapter, and construct, reconstruct, remodel, maintain, enlarge, alter, add to, repair, lease as lessee or lessor and regulate the same, enter into contracts for any such purpose, enter into contracts for the management and operation of a project or other health facilities or educational facilities owned by the authority, and designate a participating health institution or participating educational institution as its agent to determine the location and character of a project undertaken by the participating health institution or participating educational institution under this chapter and as the agent of the authority, to construct, reconstruct, remodel, maintain, manage, enlarge, alter, add to, repair, operate, lease as lessee or lessor and regulate the same, and as the agent of the authority, to enter into contracts for any such purpose, including contracts for the management and operation of such project or other health facilities or educational facilities owned by the authority.

SECTION 1961c. 231.03 (6) (a) 3. g of the statutes is created to read:

231.03 (6) (a) 3. g. The acquisition, construction, renovation, improvement or equipping of a health facility described in s. 231.01 (5) (a) 4, including projects begun before the effective date of this subdivision [revisor inserts date].

SECTION 1962. 231.03 (6) (b) of the statutes is amended 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 as defined under s. 49.45 (6m) (a) 3.~~

SECTION 1962a. 231.03 (6) (c) of the statutes is created to read:

231.03 (6) (c) Finance any project undertaken for an educational facility.

SECTION 1962b. 231.03 (6) (d) of the statutes is created to read:

231.03 (6) (d) Refinance outstanding debt of any participating educational institution.

SECTION 1962c. 231.03 (7) of the statutes is amended to read:

231.03 (7) Fix and revise from time to time and charge and collect rates, rents, fees and charges for the use of and for the services furnished or to be furnished by a project or other health facilities or educational facilities owned by the authority or any portion thereof, contract with any person in respect thereto and coordinate its policies and procedures and cooperate with recognized health facility or educational facility rate setting mechanisms.

SECTION 1962d. 231.03 (8) of the statutes is amended to read:

231.03 (8) Adopt rules for the use of a project or other health facility or educational facility or any portion of the project or facility owned, financed or refinanced in whole or in part by the authority, including any property used as security for a loan secured through, from or with the assistance of the authority. The authority may designate a participating health institution or participating educational institution as its agent to establish rules for the use of a project or other health facilities or educational facilities undertaken for that participating health institution or participating educational institution. The rules shall ensure that a project, health facility, educational facility or property may not be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship.

SECTION 1962e. 231.03 (11) of the statutes is amended to read:

231.03 (11) Establish or contract with others to carry out on its behalf a health facility or educational facility project cost estimating service, and make this service available on all projects to provide expert cost estimates and guidance to the participating health institution or participating educational institution and to the authority. To implement this service and, through it, to contribute to cost containment, the authority may require such reasonable reports and documents from health facility or educational facility projects as are required for this service and for the development of cost reports and guidelines. The authority shall appoint a technical committee on health facility or educational facility project costs and cost containment.

SECTION 1962f. 231.03 (13) of the statutes is amended to read:

231.03 (13) Make loans to any participating health institution or participating educational institution for the cost of a project in accordance with an agreement between the authority and the participating health institution or participating educational institution. The authority may secure the loan by a mortgage or

other security arrangement on the health facility or educational facility granted by the participating health institution or participating educational institution to the authority. The loan may not exceed the total cost of the project as determined by the participating health institution or participating educational institution and approved by the authority.

SECTION 1962g. 231.03 (14) of the statutes is amended to read:

231.03 (14) Make loans to a health facility or educational facility for which bonds may be issued under sub. (6) (b) or (d) to refinance the health facility's or educational facility's outstanding debt. The authority may secure the loan or bond by a mortgage or other security arrangement on the health facility or educational facility granted by the participating health institution or participating educational institution to the authority.

SECTION 1962h. 231.03 (15) of the statutes is amended to read:

231.03 (15) Mortgage all or any portion of a project and other health facilities or educational facilities and the site thereof, whether owned or thereafter acquired, for the benefit of the holders of bonds issued to finance the project or, health facilities or educational facilities or any portion thereof or issued to refund or refinance outstanding indebtedness of participating health institutions or educational institutions as permitted by this chapter.

SECTION 1962i. 231.03 (16) of the statutes is amended to read:

231.03 (16) Lease to a participating health institution or participating educational institution the project being financed or other health facilities or educational facilities conveyed to the authority in connection with such financing, upon such terms and conditions as the authority deems proper, and charge and collect rents therefor and terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; and include in any such lease, if desired, provisions that the lessee thereof shall have options to renew the term of the lease for such periods and at such rent as the authority determines or to purchase all or any part of the health facilities or educational facilities or that, upon payment of all of the indebtedness incurred by the authority for the financing of such project or health facilities or educational facilities or for refunding outstanding indebtedness of a participating health institution or participating educational institution, the authority may convey all or any part of the project or such other health facilities or educational facilities to the lessees thereof with or without consideration.

SECTION 1962j. 231.03 (17) of the statutes is amended to read:

231.03 (17) Charge to and apportion among participating health institutions and participating educational institutions its administrative costs and

expenses incurred in the exercise of the powers and duties conferred by this chapter.

SECTION 1962k. 231.03 (18) of the statutes is amended to read:

231.03 (18) Make studies of needed health facilities and educational facilities that could not sustain a loan were it made under this chapter and recommend remedial action to the legislature; and do the same with regard to any laws or rules that prevent health facilities and educational facilities from benefiting from this chapter.

SECTION 1962L. 231.03 (19) of the statutes is amended to read:

231.03 (19) Obtain, or aid in obtaining, from any department or agency of the United States or of this state or any private company, any insurance or guaranty concerning the payment or repayment of, interest or principal, or both, or any part thereof, on any loan, lease or obligation or any instrument evidencing or securing the same, made or entered into under the provisions of this chapter; and notwithstanding any other provisions of this chapter, to enter into any agreement, contract or any other instrument with respect to that insurance or guaranty, to accept payment in the manner and form provided therein in the event of default by a participating health institution or participating educational institution, and to assign the insurance or guaranty as security for the authority's bonds.

SECTION 1962m. 231.04 of the statutes is amended to read:

231.04 Expenses. All expenses of the authority incurred in carrying out this chapter shall be payable solely from funds provided under the authority of this chapter, and no liability may be incurred by the authority beyond the extent to which moneys have been provided under this chapter except that, for the purposes of meeting the necessary expenses of initial organization and operation of the authority for the period commencing on June 19, 1974 and continuing until such date as the authority derives moneys from funds provided to it under the authority of this chapter, the authority may borrow such moneys as it requires to supplement the funds provided under s. 20.440. Such moneys borrowed by the authority shall subsequently be charged to and apportioned among participating health facilities and participating educational facilities in an equitable manner, and repaid with appropriate interest over a reasonable period of time.

SECTION 1962n. 231.05 (1) of the statutes is amended to read:

231.05 (1) By means of this chapter, it is the intent of the legislature to provide assistance and alternative methods of financing to nonprofit health institutions to aid them in providing needed health services consistent with the state's health plan and to nonprofit educational institutions to aid them in providing needed educational services.

SECTION 1962o. 231.05 (3) of the statutes is amended to read:

231.05 (3) The With respect to an applicant requesting financing for health services, the authority shall, at the same time as it notifies the applicant of its action, notify the state health planning and development agency of its action, including data in support of its decision.

SECTION 1962p. 231.06 of the statutes is amended to read:

231.06 Property acquisition. The authority may acquire, directly or by and through a participating health institution or participating educational institution as its agent, by purchase or by gift or devise, such lands, structures, property, rights, rights-of-way, franchises, easements and other interests in lands, including lands lying under water and riparian rights, which are located within this state as it deems necessary or convenient for the construction or operation of a project, upon such terms and at such prices as it considers reasonable and can be agreed upon between it and the owner thereof, and take title thereto in the name of the authority or in the name of a participating health facility or educational facility as its agent.

SECTION 1962q. 231.07 (1) (b) of the statutes is amended to read:

231.07 (1) (b) Convey to the participating health institution or participating educational institution the authority's interest in the project and in any other health facility or educational facility leased, mortgaged or subject to a deed of trust or any other form of security arrangement to secure the bond.

SECTION 1962r. 231.07 (2) (a) of the statutes is amended to read:

231.07 (2) (a) The principal of and interest on any bond issued by the authority to finance a project or to refinance or refund outstanding indebtedness of one or more participating health institutions or participating educational institutions, including any refunding bonds issued to refund and refinance the bond, have been fully paid and the bonds retired or if the adequate provision has been made to pay fully and retire the bond; and

SECTION 1962s. 231.08 (5) of the statutes is amended to read:

231.08 (5) In addition to the other authorizations under this section, bonds of the authority may be secured by a pooling of leases whereby the authority may assign its rights, as lessor, and pledge rents under 2 or more leases of health facilities or educational facilities with 2 or more health institutions or educational institutions, as lessees respectively, upon such terms as may be provided for in bond resolutions of the authority.

SECTION 1962t. 231.10 (1) of the statutes is amended to read:

231.10 (1) The state is not liable on notes or bonds of the authority and the notes and bonds are not a

debt of the state. All notes and bonds of the authority shall contain on the face thereof a statement to this effect. The issuance of bonds under this chapter shall not, directly or indirectly or contingently, obligate the state or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment. Nothing in this section prevents the authority from pledging its full faith and credit or the full faith and credit of a health institution or educational institution to the payment of bonds authorized under this chapter.

SECTION 1962u. 231.12 of the statutes is amended to read:

231.12 Studies and recommendations. It is the intent and purpose of this chapter that the exercise by the authority of the powers granted to it shall be in all respects for the benefit of the people of this state to assist them to provide needed health facilities and educational facilities of the number, size, type, distribution and operation that will assure admission and health care or education of high quality to all who need it. ~~To this end, the~~ The authority shall identify and study all projects which are determined by health planning agencies to be needed, but which could not sustain a loan were such to be made to it under this chapter. The authority shall, ~~following such study,~~ formulate and recommend to the legislature such amendments to this and other laws, and such other specific measures as grants, loan guarantees, interest subsidies or other actions the state may provide which would render the construction and operation of ~~such~~ needed health facility facilities and educational facilities feasible and in the public interest. The authority also shall identify and study any laws or rules which it finds handicaps or bars a needed health facility or educational facility from participating in the benefits of this chapter, and recommend to the legislature such actions as will remedy such situation.

SECTION 1962v. 231.13 (1) (intro.) of the statutes is amended to read:

231.13 (1) (intro.) The authority shall collect rents for the use of, or other revenues relating to the financing of, each project. The authority shall contract with a participating health institution or participating educational institution for each issuance of bonds. The contract shall provide that the rents or other revenues payable by the health facility or educational facility shall be sufficient at all times to:

SECTION 1962w. 231.13 (2) of the statutes is amended to read:

231.13 (2) The authority shall pledge the revenues derived and to be derived from a project and other related health facilities or educational facilities for the purposes specified in sub. (1), and additional bonds may be issued which may rank on a parity with other bonds relating to the project to the extent and on the terms and conditions provided in the bond resolution. Such pledge shall be valid and binding from the time

when the pledge is made, the revenues so pledged by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the bond resolution nor any financing statement, continuation statement or other instrument by which a pledge is created or by which the authority's interest in revenues is assigned need be filed or recorded in any public records in order to perfect the lien thereof as against 3rd parties, except that a copy thereof shall be filed in the records of the authority and with the secretary of state.

SECTION 1962x. 231.16 (1) of the statutes is amended to read:

231.16 (1) The authority may issue bonds to refund any outstanding bond of the authority or indebtedness that a participating health institution or participating educational institution may have incurred for the construction or acquisition of a project prior to or after April 30, 1980, including the payment of any redemption premium on the outstanding bond or indebtedness and any interest accrued or to accrue to the earliest or any subsequent date of redemption, purchase or maturity, or to pay all or any part of the cost of constructing and acquiring additions, improvements, extensions or enlargements of a project or any portion of a project. No bonds may be issued under this section unless the authority has first entered into a new or amended agreement with a participating health institution or participating educational institution to provide sufficient revenues to pay the costs and other items described in s. 231.13.

SECTION 1962y. 231.20 of the statutes is amended to read:

231.20 Waiver of construction and bidding requirements. In exercising its powers under s. 101.12, the department of industry, labor and human relations or any city, village, town or county may, within its discretion for proper cause shown, waive any particular requirements relating to public buildings, structures, grounds, works and improvements imposed by law upon projects under this chapter; the requirements of s. 101.13 may not be waived, however. If, however, the prospective lessee so requests in writing, the authority shall, through the participating health institution or participating educational institution as its agent, call for construction bids in such manner as is determined by the authority with the approval of the lessee.

SECTION 1962z. 231.23 of the statutes is amended to read:

231.23 Nonprofit institutions. It is intended that all nonprofit health and educational institutions in this state be enabled to benefit from and participate in this chapter. To this end, all nonprofit health and educational institutions operating, or authorized to be oper-

ated, under any law of this state may undertake projects and utilize the capital financing sources and methods of repayment provided by this chapter, the provisions of any other laws to the contrary notwithstanding.

SECTION 1962zg. 231.27 of the statutes is created to read:

231.27 Minority financial interests. (1) In this section, "minority business", "minority financial adviser" and "minority investment firm" mean a business, financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

(2) ~~The authority shall attempt to ensure that at least 5% of the total amount purchased by the authority from private vendors in each state fiscal year and at least 5% of the total amount contracted and subcontracted under contracts made by the authority to private contractors and subcontractors in each state fiscal year are awarded to vendors, contractors or subcontractors that are minority businesses.~~

(3) ~~In issuing any bonds by competitive sale, the authority shall attempt to ensure that 5% of the total amount of bonds issued in each fiscal year is underwritten by minority investment firms.~~

(4) ~~In issuing bonds by negotiated sale, the authority shall attempt to ensure that 5% of the total amount of bonds issued in each fiscal year is underwritten by minority investment firms.~~

(5) ~~In issuing bonds by competitive sale or negotiated sale, the authority shall attempt to ensure that 5% of the total moneys expended in such fiscal year for the services of financial advisers are expended for the services of minority financial advisers.~~

(6) ~~The authority shall annually report to the department of administration the total amount purchased from and contracted or subcontracted under contracts made by the authority to minority businesses, the total amount of bonds issued by the authority with the underwriting services of minority investment firms and the total amount of moneys expended by the authority for the services of minority financial advisers during the preceding state fiscal year.~~

~~SECTION 1962zr. 233.02 (7) of the statutes is amended to read:~~

~~233.02 (7) "Primary employment" means work which pays at least the minimum wage as established under ch. 104 or under federal law, whichever is greater s. 104.025 (2) (a), offers adequate fringe benefits, including health insurance, and is not seasonal or part time.~~

~~SECTION 1962zt. 233.02 (10) of the statutes is amended to read:~~

~~233.02 (10) "Target group" means a population group for which the unemployment level is at least 25% higher than the statewide unemployment level or a population group for which the average wage received is less than 1.2 times the minimum wage as~~

Vetoed
in Part

Vetoed
in Part

Vetoed in Part established under ch. 104 or under federal law, which ever is greater s. 104.025 (2) (a). No population group is required to be located within a contiguous geographic area to be considered a target group.

SECTION 1963. 233.04 (2) (e) of the statutes is amended to read:

233.04 (2) (e) In cooperation with the university of Wisconsin small business development center, the university of Wisconsin center for cooperatives, the board of vocational, technical and adult education, the university of Wisconsin-extension, and the department of development and the council on economic adjustment, collect and disseminate information regarding employe-owned businesses and promote the appropriate establishment of employe-owned businesses.

SECTION 1963m. 233.09 of the statutes is created to read:

233.09 Matched funds. The authority may expend any of the amounts appropriated under s. 20.442 (1) (c) in any fiscal year only if the executive director of the authority, or the designee of the executive director, certifies to the department of administration that all of the following apply:

(1) The authority has raised from the private sector in that fiscal year at least \$150,000 in contributions not subject to s. 233.08.

(2) The authority has raised, over and above the amount specified in sub. (1), contributions from the private sector in that fiscal year in an amount at least equal to the amount the authority intends to expend under this section.

SECTION 1964. 234.01 (4n) (c) of the statutes is created to read:

234.01 (4n) (c) Equipment, materials or labor used to make an energy-conserving improvement to a commercial or industrial facility.

SECTION 1965. 234.03 (29) of the statutes is repealed.

SECTION 1965e. 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 applicant under s. 234.59 or other eligible beneficiaries as defined in s. 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 not make a loan to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or maintenance payments. 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 1965g. 234.49 (1) (c) of the statutes is amended to read:

234.49 (1) (c) "Eligible beneficiary" means any a person for whom the authority has not received a certification from the department of health and social services under s. 46.255 (7) or a family who or which falls within the income limits specified in par. (f).

SECTION 1965r. 234.59 (3) (c) of the statutes is created to read:

234.59 (3) (c) The authority shall notify an eligible lender if it receives a certification under s. 46.255 (7) that a person is delinquent in child support or maintenance payments. An eligible lender may not make a loan to an applicant if it receives notification under this paragraph concerning the applicant.

SECTION 1965s. 234.60 (3) (bs) of the statutes is created to read:

234.60 (3) (bs) The authority may not issue in 1987 bonds or notes the aggregate principal amount of which exceeds the greater of the following:

1. An amount equal to 8.55% of the average annual aggregate principal amount of mortgages executed during the 3 years preceding the year of issuance for single-unit, owner-occupied dwellings in this state.

2. An amount equal to \$205,000,000.

SECTION 1965y. 234.60 (5) of the statutes is amended to read:

234.60 (5) No bonds or notes may be issued under this section after December 31, ~~1986~~ 1988, except bonds or notes issued to refund outstanding bonds or notes issued under this section.

SECTION 1966. 234.65 (1) (cm) of the statutes is amended to read:

234.65 (1) (cm) No bonds or notes may be issued under this section after ~~June 30, 1987, or the date of publication of the 1987-89 biennial budget act, whichever is later~~ December 31, 1989, except bonds or notes issued to refund outstanding bonds and notes issued under this section.

SECTION 1967. 234.65 (2) of the statutes is renumbered 234.65 (2) (a).

SECTION 1968. 234.65 (2) (b) of the statutes is created to read:

234.65 (2) (b) Paragraph (a) does not apply to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

~~SECTION 1968m. 234.65 (3) (a) 2 of the statutes is amended to read:~~

~~234.65 (3) (a) 2. The authority has reserved an estimate issued under s. 560.034 (5) (b), and the department of development has estimated whether that the project which the authority would finance under the loan is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the~~

Vetoed in Part

Vetoed
in Part

~~net number of jobs expected to be eliminated, created or maintained as a result of the project.~~

~~SECTION 1968mg. 234.65 (3) (a) 3 of the statutes is repealed.~~

SECTION 1969. 234.65 (3) (a) 4 of the statutes is amended to read:

Vetoed
in Part

234.65 (3) (a) 4. Subdivisions 1 ~~to 3~~ and 2 do not apply to a person engaged in the business of operating a railroad or to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

SECTION 1970. 234.65 (3) (e) of the statutes is amended to read:

234.65 (3) (e) The economic development loan will not be used to refinance existing debt, unless it is in conjunction with an expansion of the business or job creation. This paragraph does not apply to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

SECTION 1970m. 234.65 (3) (f) of the statutes is created to read:

234.65 (3) (f) The authority has not received a certification under s. 46.255 (7) that the person receiving the loan is delinquent in child support or maintenance payments.

SECTION 1971. 234.65 (3r) of the statutes is amended to read:

234.65 (3r) Any economic development loan which a business receives from the authority under this section to finance a project shall require the business to submit to the department of development within 12 months after the project is completed or 2 years after a loan is issued to finance the project, whichever is sooner, on a form prescribed under s. 560.034 (1), the net number of jobs eliminated, created or maintained on the project site and elsewhere in this state as a result of the project. This subsection does not apply to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

SECTION 1971m. 234.85 of the statutes is created to read:

234.85 Minority financial interests. (1) In this section, “minority business”, “minority financial adviser” and “minority investment firm” mean a business, financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

Vetoed
in Part

~~(2) The authority shall attempt to ensure that at least 5% of the total amount purchased by the authority from private vendors in each state fiscal year and at least 5% of the total amount contracted and subcontracted under contracts made by the authority to private contractors and subcontractors in each state fiscal year are awarded to vendors, contractors or subcontractors that are minority businesses.~~

~~(3) In issuing bonds and notes by competitive sale, the authority shall attempt to ensure that 5% of the total amount of bonds and notes issued in each fiscal year is underwritten by minority investment firms.~~

Vetoed
in Part

~~(4) In issuing bonds and notes by negotiated sale, the authority shall attempt to ensure that 5% of the total amount of bonds and notes issued in each fiscal year is underwritten by minority investment firms.~~

~~(5) In issuing bonds and notes by competitive sale or negotiated sale, the authority shall attempt to ensure that 5% of the total moneys expended in such fiscal year for the services of financial advisers are expended for the services of minority financial advisers.~~

~~(6) The authority shall annually report to the department of administration the total amount purchased from and contracted or subcontracted under contracts made by the authority to minority businesses, the total amount of bonds and notes issued by the authority with the underwriting services of minority investment firms and the total amount of moneys expended by the authority for the services of minority financial advisers during the preceding state fiscal year.~~

SECTION 1971p. 234.90 (3) (d) of the statutes is created to read:

234.90 (3) (d) The authority has not received a certification under s. 46.255 (7) that the farmer is delinquent in making child support or maintenance payments.

SECTION 1975g. The unnumbered subchapter title preceding 341.01 of the statutes is numbered subchapter I (title) of chapter 341.

SECTION 1986b. The unnumbered subchapter title preceding 341.25 of the statutes is numbered subchapter II (title) of chapter 341.

SECTION 1986bg. The unnumbered subchapter title preceding 341.40 of the statutes is numbered subchapter III (title) of chapter 341 and amended to read:

CHAPTER 341

SUBCHAPTER III

REGISTRATION, TAXATION AND

EXEMPTION OF NONRESIDENTS

SECTION 1986bi. 341.43 of the statutes is amended to read:

341.43 Audits. ~~The department of transportation~~ may conduct such audits as it deems necessary to determine the adequacy of fees paid under the international registration plan or other proportional registration law or agreement and taxes paid under s. 341.45. Audits shall be conducted during normal business hours. Credits shall be given for overpayments and deficiencies shall be assessed, with interest. Actual and necessary expenses incurred by an auditor, plus wages, may be assessed against the person audited.

SECTION 1986bk. 341.45 (1) of the statutes is created to read:

341.45 (1) In this section:

(a) “Motor fuel” has the meaning given in s. 78.04.

(b) "Special fuel" has the meaning given in s. 78.43.

SECTION 1986bm. 341.45 (1m) (c) of the statutes is created to read:

341.45 (1m) (c) Whenever a person is convicted of evading the tax required to be paid under sub. (1g), the clerk of the court shall, as provided in s. 345.48, forward to the department the record of conviction.

SECTION 1986bp. 341.45 (4) to (6) of the statutes are created to read:

341.45 (4) The secretary may ratify and effectuate the international fuel tax agreement or other fuel tax agreement.

(5) The department, in consultation with the department of revenue, shall promulgate rules under ch. 227 necessary to administer this section. The rules shall include provisions relating to the exchange of information under this section between the department and the department of revenue under sub. (1m) and s. 78.79.

(6) (a) Any person who uses a false or fictitious name or gives a false or fictitious address in any application or form required by this section or otherwise commits a fraud in any application, record, report or claim for refund under this section may be fined not more than \$500 or imprisoned not more than 6 months or both.

(b) Any person who fails or refuses to make a report or payment as provided in this section may be fined not more than \$5,000 or imprisoned in the county jail for not more than one year or both.

SECTION 1986br. The unnumbered subchapter title preceding 341.47 of the statutes is numbered subchapter IV (title) of chapter 341.

SECTION 1986d. The unnumbered subchapter title preceding 341.60 of the statutes is numbered subchapter V (title) of chapter 341.

SECTION 1986dg. 341.63 (1m) of the statutes is created to read:

341.63 (1m) The department may suspend any Wisconsin registration of a person who fails to pay the tax required to be paid under s. 341.45 (1g) in a timely manner or who is convicted of evading the tax required to be paid under s. 341.45 (1g).

SECTION 1986m. 343.14 (4m) of the statutes is created to read:

343.14 (4m) The department shall develop designs for licenses and identification cards which are resistant to tampering and forgery no later than January 1, 1989. Licenses and identification cards issued on or after January 1, 1989, shall incorporate the designs required under this subsection.

SECTION 1986n. 343.14 (5) of the statutes is amended to read:

343.14 (5) Any person who uses a false or fictitious name in any application for a license or identification card or knowingly makes a false statement or knowingly conceals a material fact or otherwise commits a fraud in any such application may be fined not more

Vetoed
in Part

~~than \$100, \$500 or imprisoned not more than 6 months or both.~~ Vetoed in Part

SECTION 1988m. 343.19 (2) of the statutes is amended to read:

343.19 (2) Any person who knowingly makes a false statement in an application for a duplicate license or identification card or who fails to return the original to the department upon finding it or who fails to comply with any other requirement of this section may be ~~required to forfeit~~ fined not more than ~~\$100~~ \$500 or imprisoned for not more than 6 months or both. Vetoed in Part

~~SECTION 1990m. 343.24 (4) of the statutes is created to read:~~ Vetoed in Part

~~343.24 (4) The department shall not disclose the record of a reportable accident in which a licensee was involved in the course of the licensee's employment as a law enforcement officer, fire fighter, emergency medical technician—advanced (paramedic) or operator of a motor bus for an urban mass transit system, as defined in s. 85.20 (1) (L), to any person other than a court, district attorney, county corporation counsel, city, village or town attorney, the licensee or the person who is the employer of the licensee in the capacity specified in this subsection.~~

SECTION 2022m. 343.305 (5) (b) of the statutes, as affected by 1987 Wisconsin Act 3, section 29, is amended to read:

343.305 (5) (b) Blood may be withdrawn from the person arrested for violation of s. ~~30.68 (1)~~, 346.63 (1), (2) or (2m), 350.10 (3) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1) or (2m) or 350.10 (3), or as provided in sub. (3) (b) to determine the presence or quantity of alcohol, a controlled substance, a combination of alcohol and a controlled substance, any other drug or a combination of alcohol and any other drug in the blood only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician.

SECTION 2022p. 343.305 (6) (b) 3 of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

343.305 (6) (b) 3. Have trained technicians, approved by the secretary, test and certify the accuracy of the equipment to be used by law enforcement officers for chemical analysis of a person's breath under sub. (3) (a) before regular use of the equipment and periodically thereafter at intervals of not more than ~~60~~ 120 days; and

SECTION 2022r. 343.305 (10) (b) 3 of the statutes is amended to read:

343.305 (10) (b) 3. Have trained technicians, approved by the secretary, test and certify the accuracy of the equipment to be used by traffic officers for chemical analysis of a person's breath under sub. (2) (b) before regular use of the equipment and periodically

cally thereafter at intervals of not more than ~~60~~ 120 days; and

SECTION 2022u. 343.50 (3) of the statutes is amended to read:

343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be ~~of the same size and general design of as~~ an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY". The information on the card shall be the same as specified under s. 343.17 (1) and the holder may affix a sticker thereto as provided in s. 343.17 (3). The card shall contain the holder's photograph.

SECTION 2023g. 344.30 (1) of the statutes is amended to read:

344.30 (1) ~~A certificate~~ Certification of insurance as provided in s. 344.31 or 344.32; or

SECTION 2023i. 344.31 of the statutes is amended to read:

344.31 (title) Certification of insurance as proof. Proof of financial responsibility for the future may be furnished by filing with the secretary the written ~~certificate certification~~ of any insurer duly authorized to do business in this state ~~certifying~~ that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility or by transmitting such certification to the secretary by another means approved by the secretary. Such ~~certificate certification~~ shall give the effective date of such motor vehicle liability policy, which date shall be the same as the effective date of the ~~certificate certification~~ and shall certify coverage for any motor vehicle operated by the named insured.

SECTION 2023k. 344.32 (title), (1) (intro.) and (2) of the statutes are amended to read:

344.32 (title) Certification furnished by nonresidents as proof. (1) (intro.) A nonresident may give proof of financial responsibility by filing with the secretary a written ~~certificate certification~~ of an insurer authorized to transact an automobile liability or surety business in the state in which the person resides or by transmitting such certification to the secretary by another means approved by the secretary, provided the ~~certificate certification~~ otherwise conforms to this chapter. The secretary shall accept the ~~certificate certification~~ if the insurer complies with the following with respect to the policies so certified:

(2) If any insurer not authorized to transact business in this state, which has qualified to furnish proof of financial responsibility, defaults in any such undertakings or agreements, the secretary shall not thereafter accept as proof any ~~certificate certification~~ of such carrier whether theretofore filed or thereafter tendered as proof, so long as such default continues.

SECTION 2023m. 344.34 of the statutes is amended to read:

344.34 Notice of cancellation or termination of certified policy. When an insurer has certified a motor

vehicle liability policy under s. 344.31 or a policy under s. 344.32, the insurance so certified shall not be canceled or terminated until at least 10 days after a notice of cancellation or termination of the insurance so certified has been filed in the office of the secretary. No insurance so certified may be canceled or terminated by the insurer prior to the expiration of 90 days from the effective date of the ~~certificate certification~~ on the grounds of failure to pay a premium when due. Such a policy subsequently procured and certified shall, on the effective date of its certification, terminate the insurance previously certified. Any certification or recertification filed by the same insurer following cancellation shall be accompanied by a fee of \$3 payable by the insurer.

SECTION 2023p. 344.39 of the statutes is amended to read:

344.39 Substitution of proof. The secretary shall consent to the cancellation of any bond or ~~certificate certification~~ of insurance or return any money or securities to the person entitled thereto upon the substitution and acceptance of other adequate proof of financial responsibility pursuant to this chapter.

SECTION 2023q. 344.41 (1) (intro.) of the statutes is amended to read:

344.41 (1) (intro.) Subject to the exceptions set forth in sub. (2), the secretary shall, upon request, consent to the immediate cancellation of any bond or ~~certificate certification~~ of insurance, return to the person entitled thereto any money or securities deposited pursuant to this chapter as proof of financial responsibility and shall waive any requirement of the filing of proof of financial responsibility whenever any of the following events has occurred:

SECTION 2035g. 345.26 (1) (b) 1 of the statutes is amended to read:

345.26 (1) (b) 1. If the person fails to appear in court at the time fixed in the citation, the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), plus the any applicable fees prescribed in s. ss. 814.63 (1) and (2) or, 814.635 and 814.65 (1), not to exceed the amount of the deposit which the court may accept as provided in s. 345.37; or

SECTION 2035h. 345.26 (1) (b) 2 of the statutes is amended to read:

345.26 (1) (b) 2. If the person fails to appear in court at the time fixed in the citation and if the court does not accept the deposit as a forfeiture ~~and~~, a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), for the violation, the person will be summoned into court to answer the complaint.

SECTION 2035p. 345.26 (2) (b) of the statutes is amended to read:

345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include court costs, including the any applicable fees prescribed in s. ss. 814.63 (1) and (2) or,

814.635 and 814.65 (1) and a, any applicable penalty assessment if and any applicable jail assessment.

SECTION 2036g. 345.27 (1) of the statutes is amended to read:

345.27 (1) If a person is issued a citation for a violation of a traffic regulation, the person may make a stipulation of no contest and deposit in accordance with the schedule established under s. 345.26 (2) (a) at the office of the clerk of court, sheriff, or city, village or town police department or a precinct station, headquarters of the county traffic patrol, district headquarters or station of the state traffic patrol, or the office of the municipal judge in the county in which the citation was issued as designated by the arresting officer or the person may mail the stipulation and deposit to the place designated by the arresting officer. The deposit shall include the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 53.46 (1) and court costs, including the any applicable fees prescribed in ss. 814.63 (1) and (2) or, 814.635 and 814.65 (1). The stipulation shall be received within 10 days of the date of the alleged violation. The person who has mailed or filed a stipulation under this subsection may, however, appear in court on the court appearance date. If a person appears in court after making a stipulation, s. 345.37 (3) applies. Stipulations are not permitted for violations of ss. 346.62 (1) and 346.63 (1) or a local ordinance which is in conformity therewith.

SECTION 2036h. 345.27 (2) of the statutes is amended to read:

345.27 (2) If a person is cited for a violation for which a stipulation is authorized and makes a timely stipulation and pays the required deposit, the person need not appear in court. Before allowing the arrested person to make a stipulation and deposit, the arresting officer or the person receiving the stipulation and deposit shall comply with s. 343.27 or, if the stipulation and deposit are mailed, the signed statement required under s. 343.27 shall be mailed with it. The official receiving the stipulation and deposit shall promptly transmit the stipulation and deposit to the clerk of court or the municipal judge having jurisdiction in the county. The clerk of the court or the municipal judge having jurisdiction in the county may receive stipulations according to this subsection and shall receive all other stipulations made under sub. (1) but the municipal judge shall process a stipulation when a citation is issued within his or her municipality. The clerk or municipal judge shall, upon the receipt of a stipulation, record a judgment of conviction and enter deposits as fines or forfeitures and, penalty assessments and jail assessments and shall comply with ss. 343.28 and 345.37 (5). The judge or the court may relieve any person from a stipulation or any other order, judgment or conviction entered or made as provided in s. 345.37 (3).

SECTION 2036i. 345.36 (2) (b) of the statutes is amended to read:

345.36 (2) (b) Deem the nonappearance a plea of no contest and enter judgment accordingly. If the defendant has posted bond for appearance at that date, the court may also order the bond forfeited. The court shall promptly mail a copy of the judgment to the defendant. The judgment shall allow not less than 20 days from the date thereof for payment of any forfeiture, penalty assessment, jail assessment and costs imposed. If the defendant moves to open the judgment within 20 days after the date set for trial, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect, the court shall open the judgment, reinstate the not guilty plea and set a new trial date. The court may impose costs under s. 814.07. The court shall immediately notify the department to delete the record of conviction based upon the original judgment.

SECTION 2036r. 345.37 (2) of the statutes is amended to read:

345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), plus costs, including the any applicable fees prescribed in ss. 814.63 (1) and (2) or, 814.635 and 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons under ch. 968. If the defendant fails to appear in response to the summons, the court shall issue a warrant under ch. 968. If the court accepts the plea of no contest, the defendant may move within 6 months after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty upon a showing to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If on reopening, the defendant is found not guilty the court shall immediately notify the department to delete the record of conviction based on the original proceeding and shall order the defendant's deposit returned.

SECTION 2036s. 345.37 (3) of the statutes is amended to read:

345.37 (3) If the defendant has stipulated no contest under s. 345.27, the court or judge having trial jurisdiction of the violation may, on motion with or without notice, for cause shown by affidavit and upon just terms, within 10 days after the stipulation has been entered into, relieve any party from the stipulation and the effects thereof. If a party is relieved from the plea of no contest, the court or judge may order the stipulation or a written complaint to be filed and set the matter for trial. After trial the penalty assessment, if required by s. 165.87, jail assessment, if required by

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s. 53.46 (1), costs and fees shall be taxed as provided by law.

SECTION 2036t. 345.37 (4) of the statutes is amended to read:

345.37 (4) If a violator's deposit is forfeited for, or if an alleged violator stipulates to entry of, a plea of no contest to any violation for which his or her operator's record will be charged with demerit points as established by rule under s. 343.32 (2), the official accepting the forfeiture ~~and~~, the penalty assessment, if required by s. 165.87, and the jail assessment, if required by s. 53.46 (1), shall comply with s. 343.27 (3).

SECTION 2036u. 345.37 (5) of the statutes is amended to read:

345.37 (5) Within 5 working days after forfeiture of deposit or entry of default judgment, the official receiving the forfeiture ~~and~~, the penalty assessment, if required by s. 165.87, and the jail assessment, if required by s. 53.46 (1), shall forward to the department a certification of the entry of default judgment or a judgment of forfeiture.

SECTION 2036v. 345.375 (2) of the statutes is amended to read:

345.375 (2) Upon default of the defendant corporation or upon conviction, judgment for the amount of the forfeiture ~~and~~, the penalty assessment, if required under s. 165.87, and the jail assessment, if required by s. 53.46 (1), shall be entered.

SECTION 2036w. 345.47 (title) of the statutes is amended to read:

345.47 (title) Judgment of forfeitures and assessments.

SECTION 2036x. 345.47 (1) (intro.) of the statutes is amended to read:

345.47 (1) (intro.) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture ~~and~~, penalty assessment, if required by s. 165.87, and the jail assessment, if required by s. 53.46 (1), provided for the violation and for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under s. 343.30. If the judgment is not paid, the court shall order:

SECTION 2036y. 345.47 (1) (b) of the statutes is amended to read:

345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended for a period of time not less than 30 days nor more than 6 months. If the person pays the forfeiture ~~and~~, the penalty assessment, if required by s. 165.87, and the jail assessment, if required by s. 53.46 (1), after suspension under this section, the suspension shall be reduced to the minimum period of 30 days. Suspension under this paragraph 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 ~~such~~ the operating privilege.

SECTION 2036za. 345.47 (1) (c) of the statutes is amended to read:

345.47 (1) (c) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture ~~and~~, a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 53.46 (1), imposed by the court. The notice of suspension and the suspended license, if it is available, shall be forwarded to the department within 48 hours after the order of suspension. If the forfeiture ~~and~~, penalty assessment is and jail assessment are paid during a period of suspension the court or judge shall immediately notify the department. Upon receipt of the notice and payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return the license when the minimum period of suspension has passed.

SECTION 2036zb. 345.47 (2) of the statutes is amended to read:

345.47 (2) The payment of any judgment may be suspended or deferred for not more than 60 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 2036zc. 345.47 (3) of the statutes is amended to read:

345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture ~~or~~, a penalty assessment or a jail assessment for an action brought by a municipality located in more than one county, any commitment to a county institution shall be to the county in which the action was tried.

SECTION 2036zd. 345.49 of the statutes is amended to read:

345.49 (title) Procedure on imprisonment; nonpayment of forfeiture or assessments. (1) Any person imprisoned under s. 345.47 for nonpayment of a forfeiture ~~or~~, a penalty assessment, if required by s. 165.87, or a jail assessment, if required by s. 53.46 (1), may, on request, be allowed to work under s. 56.08. If the person does work, earnings shall be applied on the unpaid forfeiture ~~or~~, penalty assessment or jail assessment after payment of personal board and expenses and support of personal dependents to the extent directed by the court.

(2) Any person who is subject to imprisonment under s. 345.47 for nonpayment of a forfeiture ~~or~~, penalty assessment or jail assessment may be placed on probation to some person satisfactory to the court for not more than 90 days or until the forfeiture ~~or~~, penalty assessment or jail assessment is paid if that is done before expiration of the 90-day period. The payment of the forfeiture ~~or~~, penalty assessment or jail assessment during ~~such~~ that period shall be a condition of ~~such~~ the probation. If the forfeiture ~~or~~, penalty

assessment or jail assessment is not paid or the court deems that the interests of justice require, probation may be terminated and the defendant imprisoned as provided in sub. (1) or s. 345.47.

SECTION 2036ze. 345.61 (2) (c) of the statutes is amended to read:

345.61 (2) (c) "Guaranteed arrest bond certificate" as used in this section means any printed card or other certificate issued by an automobile club, association or insurance company to any of its members or insureds, which card or certificate is signed by the member or insureds and contains a printed statement that the automobile club, association or insurance company and a surety company, or an insurance company authorized to transact both automobile liability insurance and surety business, guarantee the appearance of the persons whose signature appears on the card or certificate and that they will in the event of failure of the person to appear in court at the time of trial, pay any fine or forfeiture imposed on the person, including the penalty assessment required by s. 165.87 and the jail assessment required by s. 53.46 (1), in an amount not exceeding \$200, or \$1,000 as provided in sub. (1) (b).

SECTION 2037m. 346.14 (2) of the statutes is amended to read:

346.14 (2) Upon a highway outside a business or residence district, the operator of any motor truck with a gross weight of more than 10,000 pounds or of any motor vehicle which is drawing or towing another vehicle where the combined gross weight is more than 10,000 pounds shall keep the vehicle he or she is operating at a distance of not less than 500 feet to the rear of any vehicle immediately preceding it, being driven in the same direction. This subsection does not apply upon any lane especially designated for use by motor trucks or by truck tractor-semitrailer or tractor-trailer units nor does it apply when overtaking and passing another vehicle, but the fact that the operator of any vehicle or combination of vehicles mentioned in this subsection follows the preceding vehicle more closely than 500 feet for one mile or more or follows more closely than 500 feet when the preceding vehicle is moving at the maximum speed then and there permissible for such following vehicle is prima facie evidence that the operator of such following vehicle is violating this subsection.

SECTION 2038g. 346.63 (2m) of the statutes, as affected by 1987 Wisconsin Act 3, section 39, is amended to read:

346.63 (2m) If a person has not attained the age of 19, the person may not drive or operate a motor vehicle while he or she has a blood alcohol concentration of more than 0.0% but not more than 0.1% by weight of alcohol in the person's blood or more than 0.0 grams but not more than 0.1 grams of alcohol in 210 liters of that person's breath. One penalty for violation of this subsection is suspension of a person's operating privilege under s. 343.30 (1p). The person is

eligible for an occupational license under s. 343.10 (1) at any time. If a person arrested for a violation of this subsection refuses to take a test under s. 343.305, the refusal is a separate violation and the person is subject to revocation of the person's operating privilege under s. 343.305 (9) (em).

SECTION 2038r. 346.63 (2m) of the statutes, as affected by 1987 Wisconsin Act 3, section 40, is amended to read:

346.63 (2m) If a person has not attained the age of 19, the person may not drive or operate a motor vehicle while he or she has a blood alcohol concentration of more than 0.0% but not more than 0.1% by weight of alcohol in the person's blood or more than 0.0 grams but not more than 0.1 grams of alcohol in 210 liters of that person's breath. One penalty for violation of this subsection is suspension of a person's operating privilege under s. 343.30 (1p). The person is eligible for an occupational license under s. 343.10 (1) at any time. If a person arrested for a violation of this subsection refuses to take a test under s. 343.305, the refusal is a separate violation and the person is subject to revocation of the person's operating privilege under s. 343.305 (10) (em).

SECTION 2042m. 346.65 (2g) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

346.65 (2g) In addition to the authority of the court under s. 973.05 (3) (a) to provide that a defendant perform community service work for a public agency or a nonprofit charitable organization in lieu of part or all of a fine imposed under sub. (2) (b) or (c), the court may provide that a defendant perform community service work for a public agency or a nonprofit charitable organization in lieu of part or all of a forfeiture under sub. (2) (a) or may require a person who is subject to sub. (2) to perform community service work for a public agency or a nonprofit charitable organization in addition to the penalties specified under sub. (2). Notwithstanding s. 973.05 (3) (b), an order may only apply if agreed to by the organization or agency. The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the community service order is monitored. Any organization or agency acting in good faith to which a defendant is assigned pursuant to an order under this subsection has immunity from any civil liability in excess of \$25,000 for acts or omissions by or impacting on the defendant. The issuance or possibility of the issuance of a community service order under this subsection does not entitle an indigent defendant who is subject to sub. (2) (a) to representation by counsel under ch. 977.

SECTION 2043m. 346.65 (2m) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

346.65 (2m) In imposing a sentence under sub. (2) for a violation of s. 346.63 (1) (b) or a local ordinance in conformity therewith, the court shall review the record and consider the aggravating and mitigating

factors in the matter. If the level of the person's blood alcohol level is known, the court shall consider that level as a factor in sentencing. The chief judge of each judicial administrative district shall adopt guidelines, under the chief judge's authority to adopt local rules under SCR 70.34, for the consideration of aggravating and mitigating factors.

SECTION 2043r. 346.655 (1) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

346.655 (1) On or after October 1, 1985, 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 \$200 in addition to the fine or forfeiture ~~and~~, penalty assessment and jail assessment.

SECTION 2044g. 348.25 (4) (intro.) of the statutes is amended to read:

348.25 (4) (intro.) Except as provided under s. 348.26 (5) or (6) or 348.27 (3m), (9m), (9r) or (13), permits shall be issued only for the transporting of a single article or vehicle which exceeds statutory size, weight or load limitations and which cannot reasonably be divided or reduced to comply with statutory size, weight or load limitations, except that:

SECTION 2044r. 348.27 (9m) of the statutes is created to read:

348.27 (9m) **TRANSPORTATION OF RAW FOREST PRODUCTS.** The department may issue annual or consecutive month permits for the transportation of raw forest products, as defined in s. 26.05 (1), in vehicles or vehicle combinations which exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit issued under this subsection does not authorize the operation of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000 pounds. This subsection does not apply to the transportation of raw forest products on highways designated as part of the national system of interstate and defense highways.

SECTION 2044t. 348.27 (9r) of the statutes is created to read:

348.27 (9r) **TRANSPORTATION OF SCRAP.** The department may issue an annual or consecutive month permit for the transportation of metallic or nonmetallic scrap for the purpose of recycling or processing on a vehicle or combination of vehicles which exceeds statutory weight or length limitations and for the return of the vehicle or combination of vehicles when empty. This subsection does not apply to the transportation of scrap on highways designated as part of the national system of interstate and defense highways.

SECTION 2045g. 349.03 (2) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

349.03 (2) No local authority may enact or enforce any traffic regulation providing for suspension or revocation of motor vehicle operator's licenses or requir-

ing local registration of vehicles, except as authorized by s. 341.35, or in any manner excluding or prohibiting any motor vehicle, mobile home, trailer or semi-trailer whose owner has complied with chs. 341 to 348 from the free use of all highways, except as authorized by sub. (3) and ss. 66.046 (1), 349.13, 349.17, 349.22 and 349.23. ~~A municipal court may revoke or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1) or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (2m).~~

SECTION 2045r. 349.03 (2m) of the statutes is created to read:

349.03 (2m) Notwithstanding sub. (2), a municipal court may suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1) or (2m).

SECTION 2046g. 349.06 (1) of the statutes, as affected by 1987 Wisconsin Act 3, is amended to read:

349.06 (1) Except for the suspension or revocation of motor vehicle operator's licenses, any local authority may enact and enforce any traffic regulation which is in strict conformity with one or more provisions of chs. 341 to 348 and 350 for which the penalty for violation thereof is a forfeiture. ~~A municipal court may revoke or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1) or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (2m).~~

SECTION 2046r. 349.06 (1m) of the statutes is created to read:

349.06 (1m) Notwithstanding sub. (1), a municipal court may suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1) or (2m).

SECTION 2046s. 350.055 of the statutes is amended to read:

350.055 Safety certification program established. The department shall establish a program of instruction on snowmobile laws, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Persons satisfactorily completing this program shall receive certification from the department. The department may charge each person who enrolls in the course an instruction fee of ~~\$2.50~~ \$5. The department shall authorize instructors conducting such courses meeting standards established by it to retain \$1 of the fee to defray expenses incurred locally to operate the program. The remaining ~~\$1.50~~ \$4 of the fee shall be retained by the department to defray a part of its expenses incurred to operate the safety and accident reporting program. A person over the age of 12 years but under the age of 16 years who holds a valid certificate issued by another state or province of the Dominion of Canada need not obtain a certificate from the department if the course content of the program in such other state or province

substantially meets that established by the department under this section.

SECTION 2046sm. 350.12 (3) (a) (intro.) of the statutes is amended to read:

350.12 (3) (a) (intro.) No Except as provided under sub. (5) (cm), no person may operate and no owner may give permission for the operation of any snowmobile within this state unless the snowmobile is registered for public use or private use under this section and has the registration decals displayed as required by sub. (5). Any snowmobile may be registered for public use. A snowmobile used exclusively on private property, as defined under s. 23.33 (1) (n), may be registered for private use. A snowmobile public-use registration certificate is valid for 2 years beginning the July 1 prior to the date of application if registration is made prior to April 1 and beginning the July 1 subsequent to the date of application if registration is made after April 1 and ending on June 30, 2 years thereafter. A snowmobile private-use registration certificate is valid from the date of issuance until ownership of the snowmobile is transferred. The fee for the issuance or renewal of a public-use registration certificate is \$20. There is no fee for the issuance of a private-use registration certificate.

SECTION 2046t. 350.12 (3) (a) 3 of the statutes is amended to read:

350.12 (3) (a) 3. The purchaser shall complete the application for transfer and cause it to be mailed or delivered to the department within 10 days from the date of purchase. A fee of ~~\$4~~ \$5 shall be paid for transfer of a current registration certificate.

SECTION 2046u. 350.12 (3m) (b) of the statutes is amended to read:

350.12 (3m) (b) *Enforcement and administration account.* ~~Thirty percent~~ Except as provided under par. (cm), 30% of the moneys collected from snowmobile registration under this section shall be credited to a separate snowmobile enforcement and administration account in the conservation fund.

SECTION 2046v. 350.12 (3m) (c) of the statutes is amended to read:

350.12 (3m) (c) *Trails aid account.* ~~Seventy percent~~ Except as provided under par. (cm), 70% of the moneys collected from snowmobile registration under this section shall be credited to a separate snowmobile trail aids account in the conservation fund.

SECTION 2046w. 350.12 (3m) (cm) of the statutes is created to read:

350.12 (3m) (cm) *Transfer fees credited.* All moneys collected from the transfer of current snowmobile registrations under sub. (3) (a) 3 shall be credited to the separate snowmobile enforcement and administration account in the conservation fund under par. (b).

SECTION 2046wh. 350.12 (5) (b) and (c) of the statutes are amended to read:

350.12 (5) (b) The registration certificate or, for owners who purchased a snowmobile ~~from a snowmo-~~

~~bile dealer and applied for a registration certificate~~ but who have not yet received the registration certificate, the completed application for registration receipt shall be in the possession of the user of the snowmobile at all times, except in the case of snowmobiles put in use by a commercial owner.

(c) The registration certificate or, for owners who purchased a snowmobile ~~from a snowmobile dealer and applied for a registration certificate~~ but who have not yet received the registration certificate, the completed application for registration receipt shall be exhibited for inspection on the demand of any person authorized to enforce this section as listed in s. 350.17 (1).

SECTION 2046wm. 350.12 (5) (cm) of the statutes is created to read:

350.12 (5) (cm) A person may operate a snowmobile without having the registration decals displayed as provided under par. (a) if the owner has applied for a registration certificate and paid the required fee and if the user of the snowmobile complies with pars. (b) and (c). This paragraph applies only up to 30 days after the owner has applied for a registration certificate.

SECTION 2047c. 422.201 (2) (bm) 1. (intro.) of the statutes is amended to read:

422.201 (2) (bm) 1. (intro.) The finance charge, calculated according to the actuarial method, may not exceed the greater of the following for a consumer credit transaction entered into on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987:~~

SECTION 2047g. 422.201 (2) (bn) of the statutes is amended to read:

422.201 (2) (bn) A consumer credit transaction entered into after October 31, 1984 ~~and before November 1, 1987~~, is not subject to any maximum limit on finance charges.

SECTION 2047n. 422.201 (4) (b) of the statutes is amended to read:

422.201 (4) (b) For sellers of farm equipment, farm implements and farm tractors the finance charge on the sale of equipment may not exceed the maximum rate provided in sub. (2) (bm) for consumer credit transactions entered into on or after November 1, 1981 and before November 1, 1984, ~~or after October 31, 1987.~~

SECTION 2047qg. 422.209 (2) (a) of the statutes is amended to read:

422.209 (2) (a) The unearned portion of the precomputed finance charge on consumer credit transactions repayable in substantially equal successive instalments at approximately equal intervals shall be equal to at least that portion of the finance charge which the sums of the instalment balances of the obligation scheduled to be outstanding after the instalment date nearest the date of prepayment bears to the sum of all instalment balances originally scheduled to

be outstanding under the obligation. For the purpose of determining the instalment date nearest the date of prepayment when payments are monthly, any prepayment made on or before the 15th day following an instalment due date shall be deemed to have been made as of the instalment due date, and if prepayment occurs on or after the 16th day it shall be deemed to have been made on the succeeding instalment due date. This method of calculating rebates may be referred to as the "rule of 78" or "sum of the digits" method. This paragraph applies to consumer all of the following:

1. Consumer credit transactions entered into before November 1, 1981, ~~and to consumer.~~

2. Consumer credit transactions having initial terms of less than 49 months entered into on or after November 1, 1981 and before the effective date of this subdivision [revisor inserts date].

SECTION 2047qh. 422.209 (2) (a) 3 of the statutes is created to read:

422.209 (2) (a) 3. Consumer credit transactions in which the amount financed is less than \$5,000, which have initial terms of less than 37 months and which are entered into on or after the effective date of this subdivision [revisor inserts date].

SECTION 2047qi. 422.209 (2) (b) (intro.) of the statutes is amended to read:

422.209 (2) (b) (intro.) The unearned portion of the finance charge on consumer credit transactions ~~entered into on or after November 1, 1981, and which have terms of 49 months or more described in par. (c)~~ is, at the option of the creditor, either of the following:

SECTION 2047qr. 422.209 (2) (c) of the statutes is created to read:

422.209 (2) (c) Paragraph (b) applies to all of the following:

1. Consumer credit transactions which have terms of 49 months or more and which are entered into after November 1, 1981 and before the effective date of this paragraph [revisor inserts date].

2. Consumer credit transactions in which the amount financed is \$5,000 or more and which are entered into on or after the effective date of this subdivision [revisor inserts date].

3. Consumer credit transactions in which the amount financed is less than \$5,000, which have initial terms of 37 months or more and which are entered into on or after the effective date of this subdivision [revisor inserts date].

SECTION 2047r. 422.402 (6) of the statutes is amended to read:

422.402 (6) This section does not apply to consumer credit transactions entered into on or after November 1, 1984, ~~and before October 31, 1987.~~

SECTION 2047w. 422.421 (6) (a) 1 of the statutes is amended to read:

422.421 (6) (a) 1. Except as provided in s. 422.201 (12), for any variable rate transaction, other than one

pursuant to an open-end credit plan, entered into before November 1, 1984, ~~or after October 31, 1987,~~ the maximum rate of finance charge for any payment period may not exceed the limit set forth in s. 422.201 (2) (bm) as determined on the earlier of the first day of the payment period or the day notice is given under sub. (5) for the payment period.

~~SECTION 2047x. 425.106 (1) (a) 2 and 3 of the statutes are amended to read:~~

~~425.106 (1) (a) 2. Fifteen dollars per dependent per week, other than the customer, as claimed by the customer for federal income tax withholding purposes, plus 40 times the federal minimum hourly wage prescribed by the fair labor standards act, 29 U.S.C. s. 206 (a) (1), as amended, under s. 104.025 (2) (a) at the time the earnings are payable.~~

~~3. In the case of earnings not payable by the week, the administrator shall prescribe by rule a multiple of the federal minimum hourly wage equivalent in effect to that set forth in subd. 2.~~

SECTION 2048. 440.04 (7) of the statutes is created to read:

440.04 (7) Unless otherwise specified in chs. 440 to 459, provide examination development, administration, research and evaluation services as required.

SECTION 2049. 440.07 of the statutes is created to read:

440.07 Examination standards and services. (1) In addition to the standards specified in chs. 440 to 459, examinations for licensure, certification, permit or registration in chs. 440 to 459 shall reasonably relate to the skills likely to be needed for an applicant to practice in this state at the time of examination and shall seek to determine the applicant's preparedness to exercise the skills.

(2) The department or examining board having authority to license, certify, register or permit applicants may do any of the following:

(a) Prepare, administer and grade examinations.

(b) Approve, in whole or in part, an examination prepared, administered and graded by a test service provider.

SECTION 2050. 440.10 of the statutes is created to read:

440.10 Notice of renewal. The department shall mail a notice of renewal to the last address provided to the department by each license, certificate or permit holder under chs. 440 to 459 at least 30 days prior to the expiration date of the license, certificate or permit. Failure to receive a notice of renewal is not a defense in any disciplinary proceeding against the holder or in any proceeding against the holder for practicing without a license, certificate or permit. Failure to receive a notice of renewal does not relieve the holder from the obligation to pay a penalty for late renewal under s. 440.05 (4) or (5).

SECTION 2051. 440.11 of the statutes is created to read:

Vetoed
in Part

440.11 Change of name or address. (1) An applicant for or recipient of a license, certificate or permit under chs. 440 to 459 who changes his or her name or moves from the last address provided to the department shall notify the department in writing of his or her new name or address within 30 days of the change.

(2) The department or any examining board or board may serve any process, notice or demand on the holder of any license, certificate or permit by mailing it to the last-known address of the holder as indicated in the records of the department, examining board or board.

(3) Any person who fails to comply with sub. (1) shall be subject to a forfeiture of \$50.

SECTION 2052. 440.22 of the statutes is created to read:

440.22 Assessment of costs. (1) In this section, "costs of the proceeding" means the compensation and reasonable expenses of hearing examiners and of prosecuting attorneys for the department or examining board, a reasonable disbursement for the service of process or other papers, amounts actually paid out for certified copies of records in any public office, postage, telephoning, adverse examinations and depositions and copies, expert witness fees, witness fees and expenses, compensation and reasonable expenses of experts and investigators, and compensation and expenses of a reporter for recording and transcribing testimony.

(2) In any disciplinary proceeding against a holder of a license, certificate, permit or registration in which the department or an examining board attached to the department orders suspension, limitation or revocation of the license, certificate, permit or registration or reprimands the holder, the department or examining board may, in addition to this discipline, assess all or part of the costs of the proceeding against the holder. Costs are payable to the department.

(3) In addition to any other discipline imposed, if the department or examining board assesses costs of the proceeding to the holder of the license, certificate, permit or registration under sub. (2), the department or examining board may not restore, renew or otherwise issue any license, certificate, permit or registration to the holder until the holder has made payment to the department under sub. (2) in the full amount assessed.

SECTION 2053. 441.06 (3) of the statutes is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, during January on or before March 1 of the even-numbered years submit to the board on furnished blanks a statement giving name, residence and other facts as the board requires, with the renewal fee specified in s. 440.05 (3).

SECTION 2054. 441.10 (3) (a) of the statutes is amended to read:

441.10 (3) (a) On complying with this chapter relating to applicants for licensure as licensed practical nurses, and passing a ~~satisfactory~~ an examination, the applicant shall receive a license as a licensed practical nurse, signed by the chairperson of the board and countersigned by the secretary of the examining council on licensed practical nurses. The holder of the license is a "licensed practical nurse" and may append the letters "L.P.N." to his or her name. The board may reprimand or may limit, suspend or revoke the license of a licensed practical nurse under s. 441.07.

SECTION 2055. 443.06 (2) (a), (b) and (e) of the statutes are amended to read:

443.06 (2) (a) A record of completion of a course in land surveying of not less than 2 years' duration approved by the section together with 2 years of practice in land surveying work of satisfactory character which indicates that the applicant is competent to be placed in responsible charge of such work, if the applicant has passed a ~~satisfactory~~ an oral and written or written examination.

(b) A record of 6 years of practice in land surveying of satisfactory character, which indicates that the applicant is competent to be placed in responsible charge of such work, if the applicant has passed a ~~satisfactory~~ an oral and written or written examination.

(e) A record of satisfactory completion of an apprenticeship training course in land surveying prescribed by the department of industry, labor and human relations, of satisfactory character which indicates that the applicant is competent to be placed in responsible charge of such work, if the applicant has passed a ~~satisfactory~~ an oral and written or written examination.

SECTION 2056. 443.08 (3) (b) of the statutes is amended to read:

443.08 (3) (b) All certificates of authorization shall expire on January 31 of the even-numbered year following their issuance or renewal and shall be invalid after the expiration date unless renewed. ~~The department shall notify every corporation certified under this section of the date of the expiration of its certificate and the fee required in s. 440.05 (8). The notice shall be mailed at least one month in advance of expiration.~~

SECTION 2057. 443.10 (5) (a) of the statutes is renumbered 443.10 (5).

SECTION 2058. 443.10 (5) (b) of the statutes is repealed.

SECTION 2059. 445.07 of the statutes is amended to read:

445.07 Restoration of licenses. A Notwithstanding s. 440.05 (4) or (5), a licensed funeral director who fails to renew a license may on application filed within 4 years after the expiration of the person's last license secure a renewal license without examination by payment of a renewal fee for each biennium not licensed or. A licensed funeral director who fails to renew a

license may on application filed within 4 years after the expiration of the person's last license secure a renewal license by examination and payment of the fee under s. 440.05 (1). Any licensed funeral director whose license has lapsed 4 years or more may obtain a new license by examination and payment of the fee under s. 440.05 (1). The time limitations prescribed in this section shall not include the service period of a funeral director as an active member of the U.S. armed forces.

Vetoed in Part SECTION 2059m. ~~445.095 (1) (b) of the statutes is amended to read: 445.095 (1) (b) All apprentices under this chapter shall be paid at least the applicable minimum wage in effect in this state under s. 104.025 (2).~~

SECTION 2060. 445.105 (3) of the statutes is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on blanks furnished by the examining board and filed with the examining board on or before ~~July~~ June 1 and shall be accompanied by the fee specified under s. 440.05 (8). All permits shall expire on ~~June 30~~ May 31 of odd-numbered years.

SECTION 2061. 445.11 (1) of the statutes is renumbered 445.11.

SECTION 2062. 445.11 (2) of the statutes is repealed.

SECTION 2063. 447.08 (3) of the statutes is amended to read:

447.08 (3) The fee specified in s. 440.05 (3) shall be due and payable on or before ~~September 30~~ of each odd-numbered year following issuance of the certificate. Any registrant who, subsequent to registering, changes place of residence or employment shall, within 30 days thereafter, notify the examining board in writing of the change and furnish the address of the new residence or employment and, where applicable, the name of the new employer.

SECTION 2063m. 448.02 (3) (a) of the statutes is 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. An allegation that a physician has violated s. 448.30 or 450.13 (2) or has failed to mail or present a medical certification required under s. 69.18 (2) within 21 days after the pronouncement of death of the person who is the subject of the required certificate or that a physician has failed at least 6 times within a 6-month period to mail or present a medical certificate required under s. 69.18 (2) within 6 days after the pronouncement of death of the person who is the subject of the required certificate is an allegation of unprofessional conduct. Information contained in reports filed with the board under s. 49.45 (2) (a) 12r ~~or~~, 50.36 (3) (b), 609.17 or 632.715 or under 42 CFR 1001.109 (e) and 42 CFR 1001.124 (a) (3) and (b) shall be investigated by the board. Information contained in a report filed with the board under s. 655.045 (1), as

created by 1985 Wisconsin Act 29, which is not a finding of negligence or in ~~reports a report~~ filed with the board under s. 50.36 (3) (c), ~~609.17 or 632.715 or under 42 CFR 474.52 (e) (3)~~ may, within the discretion of the board, be used as the basis of an investigation of the persons named in the reports. The board may require a person holding a license or certificate to undergo and may consider the results of one or more physical, mental or professional competency examinations if the board believes that the results of any such examinations may be useful to the board in conducting its investigation.

SECTION 2064. 448.07 (1) (a) of the statutes is amended to read:

448.07 (1) (a) Every person licensed or certified under this chapter shall register biennially on or before November 1 of each odd-numbered year following issuance of the license or certificate with the board in such manner ~~and at such time~~ as the board shall designate and upon ~~such~~ forms as the board shall provide. The secretary of the board, on or before ~~December~~ October 1 of each odd-numbered year, shall mail or cause to be mailed to every person required to register ~~at that time~~ a registration form. The board shall furnish to each person registered under this section a certificate of registration, and ~~each such~~ the person shall display the registration certificate conspicuously in the office at all times. No person may exercise the rights or privileges conferred by any license or certificate granted by the board unless currently registered as required under this subsection.

SECTION 2065. 457.03 (1) of the statutes is amended to read:

457.03 (1) No person may operate a school for the purpose of teaching barbering for compensation unless a biennial certificate of registration has been obtained from the examining board. Application for the certificate shall be filed with the examining board in the form the examining board prescribes. The original fee for certificate of registration shall be the fee specified under s. 440.05 (8) and shall be paid before the school is opened. The renewal fee specified in s. 440.05 (8) shall be paid before ~~September~~ June 1 in odd-numbered years. Barber schools shall make no charge to patrons for barbering services. Vocational, technical and adult education schools in this state are exempt from paying registration fees.

SECTION 2066. 458.02 (7) of the statutes is amended to read:

458.02 (7) The initial license fee and the biennial renewal fee for a certificate of registration for a school to teach cosmetology for all schools holding a certificate of registration are specified in s. 440.05 (8). The biennial fee for a certificate of registration shall be paid on or before ~~November 30~~ July 1 in odd-numbered years.

SECTION 2067. 458.09 (2) of the statutes is amended to read:

458.09 (2) Before any ~~such~~ license is issued under sub. (1) the examining board shall require sworn proof of ownership of the beauty or electrolysis salon business in such form as it may prescribe, and the owner shall pay the required fee. ~~Such~~ The licenses and renewals shall expire on ~~November 30~~ July 1 of the odd-numbered years and the licenses shall are not be transferable. Changes of ownership of any beauty or electrolysis salon shall be reported to the examining board by the manager of ~~such~~ the salon within 5 days after ~~such~~ the change of ownership.

SECTION 2068. 458.11 (2) of the statutes is amended to read:

458.11 (2) All licenses shall expire on ~~November 30~~ July 1 of the odd-numbered years. Apprentices' permits shall expire at the end of 3 years from the date of issue.

SECTION 2069. 551.22 (18) of the statutes is created to read:

Vetoed in Part 551.22 (18) Any shares of common stock issued in an ~~initial~~ public offering by a corporation organized under the laws of any state or foreign government with which the United States currently maintains diplomatic relations if all of the following are satisfied:

Vetoed in Part (a) The aggregate value of the common stockholders' equity in the corporation is at least \$500,000 at the time of the offering.

(b) The offering is made pursuant to a firm commitment underwriting.

(c) A final prospectus and \$200 are filed with the commissioner within 10 business days after the first sale of the stock in this state.

SECTION 2070r. 560.03 (18) of the statutes is amended to read:

560.03 (18) Develop and implement a plan to promote and increase exports, including agricultural products, and foreign investment in this state. The plan shall provide for the secretary to take a leadership role in assuring collaboration and coordination among international trade activities conducted by governmental entities to assure efficiency and to avoid duplication and may include provisions for participation in trade fairs and missions, establishment and maintenance of foreign trade offices and preparation of research on foreign markets for exports from this state and on opportunities for foreign investment in this state. The plan shall specify describe the allocation of funds ~~appropriated under 1983 Wisconsin Act 86~~ for support staff in this state to implement the plan and for all other costs in implementing each provision of the plan. In developing and implementing the plan, the department shall consult with the department of agriculture, trade and consumer protection, the university of Wisconsin system, the state vocational, technical and adult education system and other public and private agencies and institutions supporting international trade education or activities. Any plan to establish a foreign trade office shall include the feasibility of

establishing a system of graduated fees which a trade office may use to offset its operating costs, or a system of commissions for execution of successful transactions, or both. ~~The plan shall be completed no later than January 1, 1988, and shall be reviewed, and revised as necessary, annually thereafter.~~

Vetoed in Part

~~SECTION 2071m. 560.03 (21) of the statutes is created to read:~~

Vetoed in Part

~~560.03 (21) Administer the self-employment and placement pilot project under s. 49.50 (7s).~~

~~SECTION 2072. 560.032 of the statutes is created to read:~~

Vetoed in Part

~~560.032 Council on international trade. The council on international trade shall advise the secretary on matters related to exporting products of this state and attracting international investments to retain or create jobs in this state.~~

~~SECTION 2072ad. 560.034 (2) of the statutes is amended to read:~~

Vetoed in Part

~~560.034 (2) If the department receives a notice under s. 66.521 (4m) (a), the department shall determine whether the information in that notice is accurate and shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.~~

~~SECTION 2072am. 560.034 (3) of the statutes is amended to read:~~

~~560.034 (3) If the department receives a notice under s. 234.65 (3) (a) 1, the department shall determine whether the information in that notice is accurate and shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.~~

SECTION 2072b. 560.036 (1) (e) 2 of the statutes is repealed.

SECTION 2072c. 560.036 (1) (em) of the statutes is repealed.

SECTION 2072cm. 560.036 (1) (ep) of the statutes is created to read:

560.036 (1) (ep) "Minority financial adviser" means a sole proprietorship, partnership, joint venture or corporation that fulfills all of the following requirements:

1. It is at least 51% owned, controlled and actively managed by a minority group member or members who are U.S. citizens or persons lawfully admitted to the United States for permanent residence, as defined under 8 USC 1101 (a) (20).

2. It serves as an adviser with regard to the sale of evidences of indebtedness or other obligations.

SECTION 2072cr. 560.036 (1) (fm) of the statutes is created to read:

560.036 (1) (fm) "Minority investment firm" means a sole proprietorship, partnership, joint venture or corporation that fulfills all of the following requirements:

1. It is at least 51% owned, controlled and actively managed by a minority group member or members who are U.S. citizens or persons lawfully admitted to the United States for permanent residence, as defined under 8 USC 1101 (a) (20).

2. It serves as a manager, comanager or in any other underwriting capacity with regard to the sale of evidences of indebtedness or other obligations or as a broker-dealer as defined in s. 551.02 (3).

SECTION 2072ct. 560.036 (2) (title) and (a) of the statutes are amended to read:

560.036 (2) (title) MINORITY BUSINESS, ADVISER AND FIRM CERTIFICATION. (a) For the purposes of ss. 16.75 (3m), 16.855 (10m) ~~and, 16.87 (2) 18.16, 18.64, 18.77, 25.185, 231.27 and 234.85,~~ the department shall establish and periodically update a list of certified minority businesses, minority financial advisers and minority investment firms. Any business, financial adviser or investment firm may apply to the department for certification. For purposes of this paragraph, unless the context otherwise requires, a "business" includes a financial adviser or investment firm.

SECTION 2072e. 560.036 (2) (b) of the statutes is amended to read:

560.036 (2) (b) The department shall certify a business incorporated under ch. 180 or having its principal place of business in this state if the department, after conducting an investigation, determines that the business qualifies as a minority business under sub. (1) and any rules promulgated under sub. (3) (c). A determination that a business qualifies as a minority business may not be based on the number of minority group members employed by the business. ~~This paragraph does not apply after June 30, 1987.~~

SECTION 2072f. 560.036 (2) (bm) of the statutes is repealed.

SECTION 2072h. 560.036 (2) (c) of the statutes is amended to read:

560.036 (2) (c) The department, without investigation, may certify a business incorporated in this state or having its principal place of business in this state if the business is certified or otherwise classified as a minority business by an agency of this or another state or the federal government, or by a private business with expertise in certifying minority businesses if the private business uses substantially the same procedures as those used by the department in making a determination under par. (b). ~~This paragraph does not apply after June 30, 1987.~~

SECTION 2072i. 560.036 (2) (cm) of the statutes is repealed.

SECTION 2072j. 560.036 (2) (d) 1. b of the statutes is amended to read:

560.036 (2) (d) 1. b. The department determines that, with respect to a specified type of supply, material, equipment or service, there are not enough certified minority business suppliers in this state to enable this state to achieve compliance with ss. 16.75 (3m), 16.855 (10m) ~~and, 16.87 (2), 18.16, 18.64, 18.77, 25.185, 231.27 and 234.85.~~

**Vetoed
in Part**

SECTION 2072k. 560.036 (2) (d) 2 of the statutes is repealed.

SECTION 2072L. 560.036 (2) (dm) of the statutes is amended to read:

560.036 (2) (dm) The department may charge each business applying for certification under par. (d) a fee to cover the department's expenses in making the certification determination. ~~This paragraph does not apply after June 30, 1987.~~

SECTION 2072m. 560.036 (2) (e) of the statutes is amended to read:

560.036 (2) (e) If a business refuses to provide the department with sufficient information to enable it to conduct an investigation or if the business does not qualify for certification under par. (b), (c) or (d), the department shall deny the application. A business whose application is denied may, within 30 days after the date of the denial, appeal in writing to the secretary. The secretary shall enter his or her final decision within 30 days after receiving the appeal. ~~This paragraph does not apply after June 30, 1987.~~

SECTION 2072n. 560.036 (2) (em) of the statutes is repealed.

SECTION 2072o. 560.036 (3) (c) of the statutes is amended to read:

560.036 (3) (c) The department may promulgate rules establishing conditions with which a business, financial adviser or investment firm must comply to qualify for certification, in addition to the qualifications specified under sub. (1) (e), (ep) and (fm), respectively.

SECTION 2072p. 560.036 (4) of the statutes is repealed.

SECTION 2073. 560.07 (2m) of the statutes is amended to read:

560.07 (2m) In cooperation with the university of Wisconsin small business development center, the university of Wisconsin center for cooperatives, the board of vocational, technical and adult education, the university of Wisconsin-extension, and the community development finance authority ~~and the council on economic adjustment,~~ collect and disseminate information regarding employe-owned businesses and promote the appropriate establishment of employe-owned businesses.

SECTION 2074. 560.07 (8) of the statutes is repealed.

SECTION 2075. 560.085 of the statutes is repealed.

SECTION 2076. 560.095 of the statutes is repealed.

SECTION 2077. 560.097 of the statutes is created to read:

560.097 Notification of position openings; compliance. The department shall monitor compliance with the position-opening notification requirements under ss. 66.521 (6m) and 101.28.

SECTION 2078. 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 department of industry, labor and human relations, shall perform the responsibilities under sub. (2) if the following conditions are met:

SECTION 2079. 560.15 (1) (b) 5 of the statutes is repealed.

SECTION 2081. 560.15 (3) (d) of the statutes is amended to read:

560.15 (3) (d) Each community response committee shall advise and assist the department ~~and the council for economic adjustment~~ in the performance of their ~~its~~ responsibilities under this section ~~and s. 15.157 (5).~~

SECTION 2082. 560.15 (4) of the statutes is amended to read:

560.15 (4) All records received or created for the purposes of this section shall be closed to public inspection if the department, ~~the council for economic adjustment~~, a chief executive officer of a village, town or city or a community response committee determines that public inspection of the records could adversely affect the business, its employes or former employes.

SECTION 2083. 560.15 (5) of the statutes is amended to read:

560.15 (5) Each employe of the department, and each member of the ~~council for economic adjustment~~ and ~~of the~~ community response committee, and each chief executive officer of a village, town or city and employes of his or her office shall keep secret all facts and information obtained in the course of performing their responsibilities under this section. This subsection does not prohibit the public inspection of records to the extent permitted under sub. (4) nor meetings in open session to the extent permitted under s. 19.85 (1) (i).

SECTION 2084m. 560.26 of the statutes is created to read:

560.26 Film promotion. (1) In this section, "film" means any product created using any technology for the recording, storage and reproduction of audio-visual material.

Vetoed in Part (2) The department shall ~~create in the division of tourism a subunit for film promotion, the purpose of which is to encourage persons to produce films which will enhance the image of this state and its communities and countryside. To carry out this purpose, the subunit shall:~~

(a) Prepare and distribute promotional and informational materials identifying factors which make it

desirable to produce films in this state and describing the services available from local and state governmental units and from the private sector in this state.

(b) Help persons secure licenses and permits, and provide other appropriate services, related to film production.

(c) Help persons obtain cooperation from local, state and federal governmental units and from the private sector in order to produce films.

(d) Coordinate its activities with the activities of similar bodies created by local governmental units in this state.

(3) ~~The subunit may apply for, receive and spend grants and donations to fund its operations.~~

~~(4) The subunit shall employ staff in the classified service to carry out its functions.~~

~~SECTION 2085c. 560.29 (1) of the statutes is amended to read:~~

~~560.29 (1) (title) ALLOCATION OF FUNDS. The department shall promulgate rules allocating cooperating advertising funds equitably among the tourism regions. Such rules shall provide that not less than one-third more than 30% of the funds set aside for the execution of functions under this section shall be allocated for qualified projects initiated by corporations. If any region or corporation fails to initiate sufficient projects to exhaust its allocation, the department may distribute such funds to other applicants in such manner as it deems equitable.~~

SECTION 2087. Subchapter IV of chapter 560 of the statutes is created to read:

CHAPTER 560

SUBCHAPTER IV

WISCONSIN DEVELOPMENT FUND

560.60 Definitions. In this subchapter:

(1) "Board" means the development finance board created under s. 15.155 (1).

(2) "Business" means a company located in this state, a company which has made a firm commitment to locate a facility in this state or a group of companies at least 80% of which are located in this state.

(3) "Consortium" means an association of a business and a higher educational institution, which association is subject to an agreement complying with this subchapter.

(4) "Eligible recipient" means a business, consortium or governing body.

(6) "Governing body" means a county board, city council, village board, town board, regional planning commission or transit commission under s. 59.967 or 66.943.

(8) "Higher educational institution" means any of the following:

(a) The university of Wisconsin system.

(b) An institution which is located in this state and offers a post-baccalaureate or professional degree program.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(10) "Job" means a position providing full-time equivalent employment for one individual for one year, beginning after a project is completed. "Job" does not include initial training before an employment position begins.

(11) "Major economic development project" means a project to which any of the following applies:

(a) The project is necessary to retain a significant number of jobs in a political subdivision.

(b) The project is necessary to significantly increase the number of jobs in a political subdivision.

(c) The project will lead to significant capital investment in this state by a business.

(d) The project will make a significant contribution to the economy of this state.

Vetoed in Part (12) ~~"New business" means an existing business that has been in operation for less than 2 years.~~

(13) "Political subdivision" means a county, city, town or village.

(14) "Project" means a business development that increases the productivity of a business or its employees in this state, leads to significant capital investment in a business in this state, leads to the retention of existing jobs in this state or creates new jobs in this state.

560.605 Grant and loan criteria; generally. (1) The board may award a grant or loan under s. 560.61 upon the receipt and consideration of an application by an eligible recipient for a project under ss. 560.62 to 560.66, if the board determines all of the following:

(a) The project serves a public purpose.

(b) The project will retain or increase employment in this state.

(c) The project is not likely to occur without the grant or loan.

(d) Financing is unavailable from any other source on reasonably equivalent terms.

(e) The eligible recipient receiving the grant or loan will contribute, from funds not provided by this state, whichever of the following applies:

1. Except as provided under subd. 2 and s. 560.68 (6), not less than 25% of the cost of the project.

2. For grants and loans under s. 560.63, not less than 50% of the cost of the project excluding costs described in s. 560.63 (3).

(f) The project meets all criteria set forth in s. 560.62, 560.63 or 560.66, whichever is appropriate.

(g) Funds from the grant or loan under this subchapter will not be used to pay overhead costs or to replace funds from any other source.

(h) The project will not displace any workers in this state.

(2) The board shall consider all of the following before awarding a grant or loan to an eligible recipient for a project:

(a) The extent to which the project will retain or increase employment in this state.

(b) The extent to which the project will contribute to the economic growth of this state and the well-being of the residents of this state.

(c) Whether the project will be located in an area of high unemployment or low average income.

(d) The financial soundness of the business.

(e) The intention of the eligible recipient to repay the grant or loan.

560.61 Wisconsin development fund. ~~(1) Subject to subd. (2),~~ **Vetoed in Part** at the request of the board, the department shall make a grant or loan to an eligible recipient for a project which meets the criteria for funding under s. 560.605 and under s. 560.62, 560.63 or 560.66, whichever is appropriate from the appropriations under s. 20.143 (1) (c), (d) and (ie).

~~(2) The department may not make a grant or loan under this subchapter in an amount greater than \$1,000,000, unless the grant or loan is approved by a majority of the members of the joint committee on finance.~~ **Vetoed in Part**

560.62 Technology development grants and loans.

(1) The board may award a technology development grant or loan under s. 560.61 to a consortium to fund technical research intended to result in the development of a new, or the improvement of an existing, industrial product or process.

(2) The board may not award a technology development grant or loan unless the consortium seeking the grant or loan first enters into a written agreement regarding all of the following:

(a) The ownership of any patents or licenses which result from the technical research.

(b) Dissemination of information relating to the technical research.

(c) Responsibilities of persons conducting the technical research.

(3) Funds expended or encumbered in any fiscal year for grants and loans under this section may not exceed 40% of the total budgets of all technical research projects awarded grants or loans under this section in that fiscal year.

(4) In each biennium, the board may expend or encumber up to a total of one percent of the moneys appropriated under s. 20.143 (1) (c) for that biennium for evaluations of proposed technical research projects.

560.63 Customized labor training grants and loans.

(1) The board may award a grant or loan under s. 560.61 to a business to fund a labor training program which provides state residents with job training in new technology and industrial skills in order to meet the staffing needs of a business, if the training is not available through existing federal, state or local resources except as provided in sub. (4).

(2) Any business requesting a customized labor training grant or loan shall guarantee to the board that the business shall provide a job in this state to all persons who successfully complete the labor training program funded by the grant or loan.

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(3) The board may not award a customized labor training grant or loan to finance any of the following costs incurred by a vocational, technical and adult education district or by a public secondary or post-secondary institution:

(a) The cost, incurred before the beginning of the labor training program, of recruiting program instructors.

(b) The cost of developing a labor training program curriculum.

(c) The cost of recruiting, screening and counseling program trainees.

(d) The cost of a financial audit.

(e) The cost of renting instructional equipment and training facilities owned or leased by the district or institution, unless the equipment or facilities are rented only for the customized labor training program.

(4) The contribution required under s. 560.605 (1) (e) 2 may consist of funding or of in-kind contributions. Not more than 20% of the contribution of a business may consist of funding which the business receives under the federal job training partnership act, 29 USC 1501 to 1781.

560.66 Major economic development projects. (1) The board may award grants and loans under s. 560.61 to eligible recipients for any project which is not eligible for a grant or loan under ss. 560.62 and 560.63, if the board determines that the project is a major economic development project and considers all of the following:

(a) The number of jobs which the major economic development project will cause to be retained or increased in a political subdivision.

(b) The value of the capital investment which the eligible recipient will make in the major economic development project.

(c) The value of the expenditures required for local infrastructure relating to the major economic development project.

(d) The immediate and continuing effects of the major economic development project upon the affected political subdivisions within which it will be located.

(2) In awarding grants and loans under this section, the board may consider the effects of the project upon jobs, school, transportation and law enforcement services and facilities.

Vetoed in Part **560.68 Administration.** (2) In each fiscal year, the board shall expend not less than 50% of the funds appropriated under s. 20.143 (1) (c) or (d) for any of the following:

(a) Projects entered into by businesses employing 25 or fewer persons.

(b) Projects entered into by businesses which, together with all of their affiliates, subsidiaries and parent companies, have current gross annual sales of \$5,000,000 or less.

~~(c) Projects entered into by new businesses having less than 50% of their ownership held or controlled by other businesses.~~ **Vetoed in Part**

(4) The board shall develop a policy relating to obtaining reimbursement of grants and loans provided under this subchapter. The policy may provide that reimbursement shall be obtained through full repayment of the principal amount of the grant or loan plus interest, through receipt of a share of future profits from or an interest in a product or process, or through any other appropriate means.

(5) The department, with the approval of the board, shall develop procedures to evaluate applications, monitor project performance and audit grants and loans awarded under this subchapter.

(6) If appropriate, the board may require that more than 25% of the cost of any project or category of projects be paid from funds not provided by this state.

560.685 Rules. (1) The department may not promulgate a rule under this subchapter without first considering the recommendations of the board regarding the proposed rule. **Vetoed in Part**

~~(2) Subject to sub. (1), the department shall promulgate rules regarding the form of applications for grants and loans, procedures for processing applications and disbursing funds and any other procedures necessary for the administration of this subchapter.~~ **Vetoed in Part**

~~(3) The department and the board shall jointly promulgate rules defining a major economic development project under s. 560.66.~~

SECTION 2088. 601.31 (1) (u) and (v) of the statutes are created to read:

601.31 (1) (u) For preparation and furnishing of an agent's letter of certification, \$10.

(v) For preparation and furnishing of an agent's letter of clearance, \$10.

SECTION 2088m. 601.415 (6) of the statutes is amended to read:

601.415 (6) VALUATION OF FUTURE OR LIMITED ESTATES. The commissioner shall value estates under s. 72.28 (1) (e) 1. b upon application as provided therein by the department of revenue or by a circuit court.

SECTION 2088s. 601.422 of the statutes is created to read:

601.422 Commercial liability insurance reports. (1) REQUIREMENT. Each insurer authorized to write commercial liability insurance shall file an annual commercial liability insurance report complying with this section with the commissioner on or before May 1 of each year.

(2) CONTENTS. The report filed under sub. (1) shall contain the name of the insurer and all of the following information, for each category or type of commercial liability insurance designated by the commissioner by rule under sub. (2) and offered by the insurer, for policies covering insureds located in this state for each group of policies with effective dates within a particular calendar year: **Vetoed in Part**

(a) The total dollar amount of premiums written and earned for primary coverage and for excess coverage.

(b) The number of policies written.

(c) The amount of reserves established for each of the following:

1. Reported claims.
 2. Incurred but not reported claims.
 3. Loss adjustment expenses.
- (d) Reported paid losses.

(e) Net investment gain or loss and other income gain or loss allocated to each category or type, computed by the formula used in the annual insurance expenses exhibit for allocation among lines of business.

(f) The actual expenses attributable to each category or type, reported separately as loss adjustment expenses and all other expenses.

(g) Total number of claims reported.

(h) Total number of claims closed without payment.

(i) Total number of claims paid.

(j) Total number of legal actions filed.

(k) Total number of verdicts or judgments for defendants.

(l) Total number of verdicts or judgments for plaintiffs.

(m) Total amounts awarded plaintiffs.

(2m) CATEGORIES AND TYPES. In designating by rule the categories or types of commercial liability insurance included in the report filed under sub. (1), the commissioner shall at a minimum designate those categories or types of commercial liability insurance that cover any of the following:

- (a) Day care centers.
- (b) Municipalities.
- (c) Recreational activities.
- (d) Professional liability.

(3) OTHER INSURANCE EXCLUDED. If commercial liability insurance coverage includes any insurance other than commercial liability insurance delivered as a part of a package with commercial liability insurance, only information relating to the commercial liability insurance portion of the coverage shall be included in the report filed under sub. (1).

(4) PERIOD OF REPORT. The report filed under sub. (1) shall provide all required information updated as of the last day of the calendar year preceding the year in which the report is filed. The report shall include required information for policies with effective dates within calendar years beginning with calendar year 1988 and ending with the calendar year preceding the year in which the report is filed. Effective with filings in 1999, the report shall exclude required information for policies with effective dates within any calendar year commencing more than 10 years prior to January 1 of the year in which the report is filed.

(5) SUMMARY. The commissioner shall provide a summary of the information contained in the 2 most recent filings of reports under sub. (1) in the biennial report to the governor and the legislature under s. 15.04 (1) (d).

(6) RULES, ADJUSTMENTS AND EXCLUSIONS. The commissioner may, by rule, establish the form of the report filed under sub. (1), including the manner of reporting the elements of the report. The commissioner may, by rule, require reports to include information in addition to that specified in this section. The commissioner may adjust the reporting requirements for any insurer for which the requirements of this section are burdensome. The commissioner may determine that no report need be filed if the commercial liability insurance issued by an insurer is of such a small amount that its reporting would be burdensome to the insurer or would be of no statistical significance.

(7) NO LIABILITY OR CAUSE OF ACTION. There shall be no liability on the part of and no cause of action shall arise against an insurer or an insurer's agents or employes for reporting in good faith under this section, or against the commissioner or employes of the office for any good faith act or omission under this section.

SECTION 2099. 604.02 (1) (a) of the statutes is amended to read:

604.02 (1) (a) The "local government property insurance fund" or "property fund"; ~~previously known as the "state insurance fund" or the "state property insurance fund"~~.

SECTION 2099am. 609.70 of the statutes is created to read:

609.70 Chiropractic coverage. Health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.87 (3).

SECTION 2099ga. 613.81 of the statutes, as affected by 1987 Wisconsin Act (this act), is amended to read:

613.81 Tax exemption for hospital service insurance corporations. 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 the transfer of property to it by gift or inheritance is exempt from taxation as provided in s. 72.15 and subch. IV of ch. 72.~~

SECTION 2099gb. 613.81 (1) of the statutes is renumbered 613.81 and amended to read:

613.81 Tax exemption for hospital service insurance corporations. 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

Vetoed
in Part

exempt from taxation as provided in ~~ss. 70.11, s. 72.15 and subch. IV of ch. 72 but shall make reasonable payments for municipal services under sub. (2).~~

SECTION 2099m. 613.81 (2) of the statutes is repealed.

SECTION 2099r. 613.81 (3) of the statutes is repealed.

SECTION 2110. 619.04 (1) and (5) (intro.) of the statutes are amended to read:

619.04 (1) The commissioner shall promulgate rules establishing a plan of health care liability coverage for all medical or osteopathic physicians licensed under ch. 448 and nurse anesthetists licensed under ch. 441 who practice in this state or who satisfy s. 655.002; for partnerships comprised of such physicians or nurse anesthetists; for corporations organized and operated in this state for the purpose of providing the medical services of physicians or nurse anesthetists; for operating cooperative sickness care plans organized under ss. 185.981 to 185.985 which directly provide services in their own facilities with salaried employees; and for all hospitals as defined by s. 50.33 (2) (a) and (c), but excluding those facilities exempted by s. 50.39 (3), which operate in this state and any entity operated in this state in connection with one or more hospitals and owned or controlled by the hospital or hospitals when the entity is assisting the hospital or hospitals in providing diagnosis or treatment of, or care for, patients of the hospital or hospitals.

(5) (intro.) The plan shall offer professional health care liability coverage in a standard policy form for all hospitals, medical or osteopathic physicians and nurse anesthetists ~~operating or practicing who operate or practice in this state or who satisfy s. 655.002.~~ The plan shall include, but not be limited to, the following:

SECTION 2110e. 619.12 (1) (a) of the statutes is amended to read:

619.12 (1) (a) A notice of rejection or cancellation of coverage from 2 one or more insurers.

SECTION 2110m. 619.12 (2) (c) of the statutes is amended to read:

619.12 (2) (c) No person on whose behalf the plan has paid out ~~\$250,000~~ \$500,000 or more is eligible for coverage under the plan.

~~SECTION 2110p. 619.13 (3) of the statutes is created to read:~~

Vetoed
in Part

~~619.13 (3) The board shall reduce the amount of assessments annually charged participating insurers under this section by the amount appropriated under s. 20.145 (7) (b).~~

SECTION 2110s. 619.14 (2) (a) of the statutes is amended to read:

619.14 (2) (a) The plan shall provide every eligible person who is not eligible for medicare with major medical expense coverage. Major medical expense coverage offered under the plan shall pay an eligible person's covered expenses, subject to sub. (3) and

deductible and coinsurance payments authorized under sub. (5), up to a lifetime limit of ~~\$250,000~~ \$500,000 per covered individual. The maximum limit under this paragraph shall not be altered by the board, and no actuarially equivalent benefit may be substituted by the board.

SECTION 2111. 619.14 (3) (intro.) of the statutes is amended to read:

619.14 (3) COVERED EXPENSES. (intro.) ~~Covered~~ Except as restricted by cost containment provisions under s. 619.17 (4), covered expenses shall be the usual and customary charges for the services provided by persons licensed under ch. 446. ~~Covered~~ Except as restricted by cost containment provisions under s. 619.17 (4), covered expenses shall also be the usual and customary charges for the following services and articles when prescribed by a physician licensed under ch. 448 or in another state:

SECTION 2111g. 619.14 (5) (a) of the statutes is amended to read:

619.14 (5) (a) The plan shall offer a ~~\$1,000~~ deductible in combination with appropriate premiums determined under this subchapter for major medical expense coverage required under this section. For coverage offered to those persons eligible for medicare, the plan shall offer a deductible equal to the deductible charged by part A of title XVIII of the federal social security act, as amended. ~~Expenses~~ The deductible amounts for all other eligible persons shall be dependent upon household income as determined under s. 619.165. For eligible persons under s. 619.165 (1) (b) 1, the deductible shall be \$500. For eligible persons under s. 619.165 (1) (b) 2, the deductible shall be \$600. For eligible persons under s. 619.165 (1) (b) 3, the deductible shall be \$700. For eligible persons under s. 619.165 (1) (b) 4, the deductible shall be \$800. For eligible persons under s. 619.165 (1) (b) 5, the deductible shall be \$900. For all other eligible persons who are not eligible for medicare, the deductible shall be \$1,000. With respect to all eligible persons, expenses used to satisfy the deductible during the last 90 days of a calendar year shall also be applied to satisfy the deductible for the following calendar year. The schedule of premiums shall be promulgated by rule by the commissioner. The rating plan shall not provide for rates greater than 150% of the rate which a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under this section.

SECTION 2111r. 619.165 (1) (b) 1 to 5 of the statutes are amended to read:

619.165 (1) (b) 1. If equal to or greater than \$0 and less than \$6,000, by ~~30%~~ 33.3%.

2. If equal to or greater than \$6,000 and less than \$9,000, by ~~24%~~ 33.3%.

3. If equal to or greater than \$9,000 and less than \$12,000, by ~~18%~~ 29%.

4. If equal to or greater than \$12,000 and less than \$15,000, by ~~12%~~ 23%.

5. If equal to or greater than \$15,000 and less than \$16,500, by ~~6%~~ 17%.

SECTION 2112. 619.17 (4) of the statutes is created to read:

Vetoed
in Part

~~619.17 (4) (a) Subject to par. (b), cost containment provisions established by the commissioner by rule which include, but are not limited to, all of the following:~~

Vetoed
in Part

~~1. A procedure for prior authorization and subsequent review of all nonemergency hospital admissions and hospital outpatient treatments to determine if the admission, length of stay or treatment is appropriate.~~

~~2. A procedure for prior authorization and subsequent review of nonemergency admissions and treatments at a facility other than a hospital to determine if the admission, length of stay or treatment is appropriate, if the admission or treatment is for any of the following:~~

~~a. Nervous or mental disorders.~~

~~b. Alcoholism or drug abuse.~~

~~c. Conditions treated by a chiropractor or pediatrician.~~

~~d. Nursing home or other long-term care.~~

~~3. A requirement that, if practical under the circumstances, a person covered by the plan obtain medical tests on an outpatient basis before the person is admitted to a hospital.~~

~~4. A system of case management for persons covered by the plan who require long-term health care.~~

~~5. As feasible, preferred provider agreements with health care providers, including hospitals and clinics, selected on the basis of quality and cost of services.~~

~~6. A self-audit program which provides monetary awards for persons covered by the plan who notify the commissioner of billing errors which result in savings to the plan and which would otherwise not be detected.~~

~~(b) If the commissioner at any time determines that any of the cost containment provisions described in par. (a) 1 to 6 should not be included in the plan because the provision is not cost-effective or would not be cost-effective if included, the commissioner shall appear before the joint committee on finance at the committee's next regular quarterly meeting and present reasons why the provision is not cost-effective or would not be cost-effective if included.~~

SECTION 2112d. 628.33 of the statutes is repealed.

SECTION 2112h. 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, limited service health organizations and preferred provider plans are subject to s. 632.87 (3).

SECTION 2112m. 628.36 (2m) (e) 2 and 3 of the statutes are amended to read:

628.36 (2m) (e) 2. Except as provided in subd. 3, subd. 1 applies to health maintenance organizations on and after May 10, 1984, and before July 1, ~~1988~~ 1989, or the effective date of the 1989-91 budget bill, whichever is later.

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 July 1, ~~1988~~ 1989, or the effective date of the 1989-91 budget bill, whichever is later, the health maintenance organization shall comply with the requirements of subd. 1, and if on or after July 1, ~~1988~~ 1989, or the effective date of the 1989-91 budget bill, whichever is later, shall provide one period of at least 30 days during which any pharmacist may elect to participate in the health maintenance organization, as provided in subd. 1, for at least one year.

SECTION 2112n. 632.75 (5) of the statutes is amended to read:

632.75 (5) PAYMENTS FOR HOSPITAL SERVICES. No insurer may reimburse a hospital for patient health care costs at a rate exceeding the rate established under ch. 54, 1985 stats., or s. 146.60, 1983 stats., for care provided prior to July 1, 1987.

SECTION 2112p. 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 subds. (2m) and (3).

SECTION 2112t. 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:

1. Prohibit the application of deductibles or coinsurance provisions to chiropractic and physician charges on an equal basis.

2. Prohibit the application of cost containment or quality assurance measures generally applicable to chiropractic and physician services in a like manner and consistent with this section.

Vetoed
in Part

Vetoed
in Part

3. Require the plan to cover any service by a chiropractor if the plan's coverage is limited to surgical benefits.

4. 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.

(c) Health maintenance organizations, preferred provider plans and limited service health organizations, in complying with par. (a), shall include as participating providers licensed chiropractors in sufficient numbers to meet the demand for chiropractic services by enrolled participants.

(d) 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 to maintain records for 36 months, beginning on the first day of the 7th month after the effective date of this paragraph . . . [revisor inserts date], showing any changes in costs associated with compliance with the requirements of this section.

SECTION 2113. 655.001 (11) of the statutes is amended to read:

655.001 (11) "Permanently practicing in this state" means the full-time or part-time practice in this state of a health care provider's profession for more than 240 hours in any fiscal year beginning each July 1 by a health care provider whose principal place of practice is in this state, or a health care provider satisfying s. 655.002.

SECTION 2114. 655.002 to 655.005 of the statutes are renumbered 655.003 to 655.006.

SECTION 2115. 655.002 of the statutes is created to read:

655.002 Out-of-state practice. A medical or osteopathic physician licensed under ch. 448 or a nurse anesthetist licensed or registered under ch. 441 is permanently practicing in this state even though he or she practices at a hospital located in Michigan if all of the following are satisfied:

(1) The hospital, as defined under s. 50.33 (2), is an affiliate of a corporation organized under the laws of

this state which maintains its principal office and a hospital in this state.

(3) The medical or osteopathic physician or nurse anesthetist is a resident of this state.

(4) The medical or osteopathic physician or nurse anesthetist practices in this state or in Michigan or both for a total of at least 240 hours in any fiscal year beginning each July 1.

(5) The principal place of practice of the medical or osteopathic physician or nurse anesthetist is in this state or in Michigan.

(6) If the principal place of practice of a medical or osteopathic physician or nurse anesthetist is in Michigan, the medical or osteopathic physician or nurse anesthetist performs more procedures in the hospital described under sub. (1) than in any other hospital.

SECTION 2116. 655.27 (3) (b) 2m of the statutes is created to read:

655.27 (3) (b) 2m. In addition to the fees and payment classifications described under subs. 1 and 2, the commissioner, after approval by the board of governors, may by rule establish a separate payment classification for medical and osteopathic physicians satisfying s. 655.002 and a separate fee for nurse anesthetists satisfying s. 655.002 which takes into account the loss experience of health care providers practicing in Michigan.

SECTION 2117g. 701.09 (3) and (4) of the statutes are amended to read:

701.09 (3) LIFE INSURANCE PROCEEDS TRANSFERRED TO TRUST OF INSURED. A trustee named or to be named in the will of an insured person may be designated beneficiary of an insurance policy on the life of the insured if the designation is made in accordance with the terms of the policy. After admission of the insured's will to probate and issuance of letters to such trustee, the insurance proceeds shall be paid to the trustee to be administered in accordance with the terms of the trust as they exist at the death of the insured, and ~~such~~ the proceeds may be commingled with other assets passing to the trust. Insurance proceeds paid to a testamentary trustee because of his or her designation as life insurance beneficiary shall not be subject to ~~inheritance death~~ tax to any greater extent than if ~~such~~ the proceeds were payable to a beneficiary other than the insured's estate. ~~Such~~ The proceeds shall be inventoried for tax purposes only and shall not be subject to taxes, debts or charges enforceable against the estate ~~nor~~ or otherwise considered assets of the insured's estate to any greater extent than if ~~such~~ the proceeds were payable to a beneficiary other than the insured's estate.

(4) EMPLOYEE BENEFITS TRANSFERRED TO TRUST OF EMPLOYEE. A trustee named or to be named in the will of an employee covered by any employee benefit plan described in s. 815.18 (31) or any annuity or insurance contract purchased by an employer ~~which that is~~ a religious, scientific, educational, benevolent or other

corporation or association not organized or conducted for pecuniary profit may be designated payee of any benefits payable after the death of the employe if the designation is made in accordance with the terms of the plan or contract. After admission of the employe's will to probate and issuance of letters to ~~such~~ the trustee, the death benefits shall be paid to the trustee to be administered in accordance with the terms of the trust as they exist at the death of the employe, and ~~such~~ the benefits may be commingled with other assets passing to the trust. Death benefits paid to a testamentary trustee because of his or her designation as payee shall not be subject to ~~inheritance~~ the death tax to any greater extent than if ~~such~~ the benefits were payable to a beneficiary other than the employe's estate. ~~Such~~ The benefits shall be inventoried for tax purposes only and shall not be subject to taxes, debts or charges enforceable against the estate ~~nor or~~ otherwise considered assets of the employe's estate to any greater extent than if ~~such~~ the benefits were payable to a beneficiary other than the employe's estate.

SECTION 2117m. 701.20 (12) (d) 5 of the statutes is amended to read:

701.20 (12) (d) 5. If ~~an estate, inheritance a death tax~~ or generation skipping transfer tax is levied in respect of ~~to~~ a trust, any amount apportioned to the trust, or any beneficial interest in the trust.

SECTION 2117r. 705.06 (1) (intro.) of the statutes is amended to read:

705.06 (1) (intro.) In accordance with the terms of an account, and subject to this chapter, ch. 112 and ~~s. 72.29~~ the duties prescribed for personal representatives in ch. 72 and unless otherwise ordered by a court of competent jurisdiction:

SECTION 2117x. 705.06 (1) (d) of the statutes is amended to read:

705.06 (1) (d) Any sums in a marital account may be paid, on request, to either party without regard to whether the other party is under legal disability or is deceased, unless the financial institution receives actual notice that the other party is deceased. After receipt of actual notice of the death of one party to a marital account, the financial institution may pay on request not more than 50% of the sums on deposit to the surviving party, and 50% of that amount, ~~less any amount required to be withheld under s. 72.29,~~ to the personal representative of the deceased party or if applicable to any P.O.D. beneficiary of the deceased party's interest, unless before payment is made the financial institution receives a verified statement under s. 865.201 or a certified copy of a certificate or recorded application concerning survivorship rights under s. 867.046, in which case the financial institution shall make payment as provided in that document.

SECTION 2128a. 753.075 (3) (a) of the statutes is amended to read:

753.075 (3) (a) Temporary reserve judges shall receive a per diem of ~~\$150~~ \$175 and while serving outside the county in which they reside shall also receive actual and necessary expenses incurred in the discharge of judicial duties. This per diem compensation is not subject to s. 40.26 but the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement system, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds or social security received by him or her during any one calendar year shall not exceed the yearly compensation of a circuit judge. The per diem compensation and actual and necessary expenses shall be paid from the appropriation under s. 20.625 (1) (a) when the judge is assigned to a circuit court and from the appropriation under s. 20.660 (1) (a) when the judge is assigned to the court of appeals.

SECTION 2128c. 757.69 (1) (b) of the statutes is amended to read:

757.69 (1) (b) In criminal matters issue summonses, arrest warrants or search warrants and conduct initial appearances of persons arrested and set bail to the same extent as a judge. At the initial appearance, the court commissioner shall, when necessary, inform the defendant in accordance with s. 970.02 (1). If the defendant appears or claims to be unable to afford counsel, the court commissioner may refer the person to the authority for indigency determinations specified under s. 977.07 (1). If the court commissioner is a full-time court commissioner, he or she may conduct the preliminary examination to the same extent as a judge.

~~SECTION 2128g. 757.81 (1m) of the statutes is created to read:~~

~~757.81 (1m) "Costs" means the compensation and necessary expenses of panels or juries, compensation, fees and expenses of staff and other counsel for the commission, a reasonable disbursement for the service of process or other papers, amounts actually paid out for certified copies of records in any public office, postage, telephoning, adverse examinations and depositions and copies, expert witness fees, witness fees and expenses, compensation and reasonable expenses of experts and investigators employed on a contractual basis, and any other costs and fees permitted by ch. 814.~~

Vetoed
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SECTION 2129. 757.83 (4) of the statutes is amended to read:

757.83 (4) STAFF. The judicial commission shall hire an executive director, and may hire one staff member, in the unclassified service. The executive director shall be a member of the state bar. ~~The judicial commission may hire additional support staff, within budgetary limitations, in the unclassified service of Wisconsin.~~

~~SECTION 2129m. 757.98 of the statutes is created to read:~~

Vetoed
in Part

Vetoed
in Part

~~757.98 Assessment of costs. (1) The supreme court shall assess all or part of the costs of the proceeding against a judge who is found to have engaged in misconduct and enter a judgment for costs. Costs are payable to the commission and shall be deposited into the general fund.~~

~~(2) In seeking the assessment of costs by the supreme court, the commission shall file a statement of costs within 14 days of the filing of the findings of fact, conclusions of law and recommendations of the panel or the presiding judge with the supreme court under s. 757.89. Objection to the statement of costs shall be filed by motion within 7 days after service of the statement of costs.~~

~~(3) Upon the assessment of costs by the supreme court, the clerk of the supreme court shall issue a judgment for costs and furnish a transcript of the judgment to the commission. The transcript may be filed and docketed in the office of the clerk of court in any county and shall have the same force and effect as judgments docketed under s. 806.16.~~

SECTION 2133m. 767.01 (2) of the statutes is repealed and recreated to read:

767.01 (2) In an action to establish paternity or to establish or enforce a child support obligation, in regard to a child who is the subject of the action, a person is subject to the jurisdiction of the courts of this state if any of the following circumstances exists:

(a) The person has the necessary minimum contact with this state for the exercise of jurisdiction under s. 801.05 or 801.07 (5).

(b) The person engaged in sexual intercourse with the child's mother in this state during the child's period of conception or the affected child was conceived in this state.

(c) The affected child resides in this state.

(d) The person resides or has resided with the child in this state.

SECTION 2134. 767.077 of the statutes is created to read:

767.077 Support for dependent child. The state or its delegate under s. 46.25 (7) shall bring an action for support of a minor child under s. 767.02 (1) (f) or, if appropriate, for paternity determination and child support under s. 767.45 whenever the child's right to support is assigned to the state under s. 49.19 (4) (h) 1. b if all of the following apply:

(1) The child has been deprived of parental support by reason of the continued absence of a parent from the home.

(2) A court has not issued an order under s. 767.25 requiring the parent who is absent from the home to support the child.

SECTION 2135. 767.078 of the statutes is created to read:

767.078 Order in case involving dependent child. (1)

(a) In this subsection, "case involving a dependent

child" means an action which meets all of the following criteria:

1. Is an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1) or 767.51 (3).

2. The child's right to support is assigned to the state under s. 49.19 (4) (h) 1. b.

3. The child has been deprived of parental support by reason of the continued absence of a parent from the home.

(b) Except as provided in par. (c), in a case involving a dependent child, if the child's parent who is absent from the home is not employed, the court shall order that parent to do one or more of the following:

1. Register for work at a public employment office established under s. 101.23.

2. Apply for jobs.

3. Participate in a job training program.

(c) An order is not required under par. (b) if the court makes written findings that there is good cause for not issuing the order.

(2) Subsection (1) does not limit the authority of a court to issue an order, other than an order under sub. (1), regarding employment of a parent in an action for modification of a child support order under s. 767.32 or an action in which an order for child support is required under s. 767.25 (1) or 767.51 (3).

SECTION 2135b. 767.13 (2) (c) of the statutes is created to read:

~~767.13 (2) (c) Appointment of state hearing examiners. In a county having a population of 500,000 or more, the chief judge of the judicial administrative district may, with the agreement of the secretary of health and social services, appoint hearing examiners employed by the department of health and social services to act as family court commissioners in cases for the determination of paternity under s. 767.45, including postjudgment enforcement actions, in which a party has assigned child support rights under s. 49.19 or 49.45 or has applied for services under s. 46.25. This paragraph does not apply after June 30, 1989.~~

~~SECTION 2135c. 767.25 (5) of the statutes is amended to read:~~

~~767.25 (5) Liability for past support shall be limited to the period after commencement of the action birth of the child.~~

~~SECTION 2135g. 767.32 (1) of the statutes is amended to read:~~

~~767.32 (1) After a judgment providing for child support under s. 767.25 or 767.51, maintenance payments under s. 767.26 or family support payments under s. 767.261, or for the appointment of trustees under s. 767.31 the court may, from time to time, on the petition of either of the parties, or upon the petition of the department of health and social services, a county department under s. 46.215, 46.22 or 46.23 or a~~

~~SECTION 2135g. 767.32 (1) of the statutes is amended to read:~~

~~767.32 (1) After a judgment providing for child support under s. 767.25 or 767.51, maintenance payments under s. 767.26 or family support payments under s. 767.261, or for the appointment of trustees under s. 767.31 the court may, from time to time, on the petition of either of the parties, or upon the petition of the department of health and social services, a county department under s. 46.215, 46.22 or 46.23 or a~~

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child support agency if an assignment has been made under s. 49.19 (4) (h) or 49.45 (19) or if either party or their minor children receives aid under ch. 49, and upon notice to the family court commissioner, revise and alter such judgment respecting the amount of such maintenance or child support and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any judgment respecting any of the matters which such court might have made in the original action, except that a judgment which waives maintenance payments for either party shall not thereafter be revised or altered in that respect nor shall the provisions of a judgment with respect to final division of property be subject to revision or modification. Any change in child support because of alleged change in circumstances shall take into consideration each parent's earning capacity and total economic circumstances. In any action under this section, receipt of aid to families with dependent children under s. 49.19 or a substantial change in the cost of living by either party or as measured by the federal bureau of labor statistics may be sufficient to justify a revision of judgment, except that a change in an obligor's cost of living is not in itself sufficient if payments are expressed as a percentage of income.

SECTION 2135i. 767.32 (1m) of the statutes is created to read:

767.32 (1m) In an action under sub. (1) to revise a judgment providing for child support, maintenance payments or family support payments, the court may not revise the amount of child support, maintenance payments or family support payments due prior to the date that notice of the action is given to the respondent, except to correct previous errors in calculations.

SECTION 2135k. 767.45 (1) (h) of the statutes is created to read:

767.45 (1) (h) This state as provided under sub. (6m).

SECTION 2135m. 767.45 (5) of the statutes is renumbered 767.45 (5) (b).

SECTION 2135n. 767.45 (5) (a) of the statutes is created to read:

767.45 (5) (a) In this subsection, "any alleged father" includes any male who has engaged in sexual intercourse with the child's mother during a possible time of conception of the child.

SECTION 2135p. 767.45 (6m) of the statutes is created to read:

767.45 (6m) The attorney designated under sub. (6) (a) shall commence an action under this section on behalf of the state within 6 months after the filing with the register of deeds under s. 69.07 of a birth certificate for a child who is a resident of the county if no father is named on the birth certificate or if the mother is not married and paternity has not been adjudicated, except in situations under s. 69.14 (1) (g) and (h) and as provided by the department of health and social services by rule. ~~The attorney designated under sub.~~

Vetoed
in Part

~~(6) (a) shall give priority to paternity actions in which the mother of the child is under age 20 at the time of the child's birth.~~ Vetoed
in Part

SECTION 2135r. 767.45 (7) of the statutes is amended 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) or (6m), 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 2136. 767.455 (5) of the statutes is amended to read:

767.455 (5) FORM. The summons shall be in substantially the following form:

STATE OF WISCONSIN,
CIRCUIT COURT
... COUNTY

In re the Paternity of A.B.
Summons
THE STATE OF WISCONSIN,
To said the respondent:

You have been sued. ... claims that you are the father of the child, ... born on ... (date), in ... (city) (county) (state). You must appear to answer this claim of paternity. Your court appearance is:

Date:
Time:
Room:
Judge:
Address:

If you do not appear, the court will ~~order law enforcement officers to find you and bring you to court enter a default judgment finding you to be the father. A default judgment will take effect 10 days after it is served on or mailed to you, unless within those 10 days you present to the court or a family court commissioner evidence of good cause for failure to appear.~~ If you plan to be represented by an attorney, you should contact the attorney prior to the court appearance listed above. If you are unable to afford an attorney, the court will appoint one for you. ~~If you do not appear you may be found to be the father of the child in a judgment by the court.~~ Appearance is not required if you complete the attached waiver of first appearance statement and send it to the court at least 10 days prior to the date of your scheduled appearance in this summons.

Dated: ..., 19 ...

... C.D.
... Clerk of Circuit Court
... Petitioner's Attorney

SECTION 2136e. 767.455 (5g) of the statutes is created to read:

767.455 (5g) NOTICE. The notice to respondent shall be attached to the summons. The notice shall be in boldface type and substantially the following form:

NOTICE TO RESPONDENT

1. You have been named in a petition alleging paternity. A judgment of paternity would legally designate the child as your child, grant parental rights to you, create the right

of inheritance for the child, obligate you to pay child support until the child reaches the age of 18, or the age 19 if the child is enrolled full-time in high school or its equivalent, and make your failure to pay child support punishable by imprisonment as a contempt of court or as a criminal violation.

2. You have the right to be represented by an attorney. If you are unable to afford an attorney, the court will appoint one for you. In order to determine whether you are entitled to have an attorney appointed for you, you may call the following telephone number

3. You may request blood tests which will indicate the probability that you are or are not the father of the child. The court or family court commissioner will order blood tests on request by you, the state or any other party. Any person who refuses to take court-ordered blood tests may be punished for contempt of court.

4. The petitioner has the burden of proving by clear and satisfactory preponderance of the evidence that you are the father. However, if blood tests show that you are not excluded as the father and that the statistical probability of your being the father is 99.0% or higher, you are rebuttably presumed to be the father.

5. The following defenses are available to you:

(a) That you were sterile or impotent at the time of conception.

(b) That you did not have sexual intercourse with the mother of the child during the conceptive period as provided in s. 891.395.

(c) That another man did have sexual intercourse with the mother of the child during the conceptive period.

6. You have the right to request a jury trial.

7. If you fail to appear at any stage of the proceeding, including a scheduled blood test, the court will enter a default judgment finding you to be the father. A default judgment will take effect 10 days after it is served on or mailed to you at your address on file with the court, unless within those 10 days you present to the court or a family court commissioner evidence of good cause for your failure to appear or your failure

to have undergone a blood test. You need not appear at the time and place specified in the summons if you complete the attached waiver of first appearance statement and deliver it to the court by the date specified in the waiver of first appearance statement.

8. You must keep the clerk of court informed of your current address at all times.

SECTION 2136m. 767.455 (5r) of the statutes is created to read:

767.455 (5r) WAIVER OF FIRST APPEARANCE. The waiver of first appearance statement shall be attached to the summons. The waiver of first appearance statement shall be in boldface type and substantially the following form:

WAIVER OF FIRST APPEARANCE

1. I understand that by signing this waiver and agreeing to its terms I am not required to appear at the time and place specified in the summons. If I do not sign this statement, I am required to appear at the time and place specified in the summons.

2. I understand that I will be notified by the court of all future stages in the proceeding and agree to appear at those stages. If I fail to appear at any stage, including a scheduled blood test, the court will enter a default judgment finding me to be the father. A default judgment will take effect 10 days after it is served on or mailed to me, unless within those 10 days I present to the court or a family court commissioner evidence of good cause for my failure to appear or my failure to have undergone a blood test.

3. I enter the following plea (check only one):

.... I agree that I am the child's father.

.... I deny that I am the child's father.

.... I agree that I am the child's father, subject to confirmation by a blood test.

If I enter a plea agreeing that I am the child's father, a judgment of paternity will be entered against me. If I enter a plea denying that I am the child's father or a plea agreeing that I am the child's father, subject to a blood test, I agree to undergo a blood test.

4. I have read the summons and the notice or have had them read to me.

5. This waiver of first appearance statement is valid only if it is delivered to the court on or before

6. I will keep the clerk of court informed of my address at all times. The following is my current address:

.....
Street address and apartment number

.....
City State Zip Code

.....
Date Signature of Respondent

SECTION 2136p. 767.455 (5w) of the statutes is created to read:

767.455 (5w) EXCEPTION. Subsections (5) to (5r) do not apply in an action brought by a man alleging himself to be the father of the child.

SECTION 2136t. 767.457 of the statutes is renumbered 767.458 (1), and 767.458 (1) (c) and (d), as renumbered, are amended to read:

767.458 (1) (c) The Except as provided under sub. (1m), the respondent may request the administration of blood tests which either demonstrate that he is not the father of the child or which demonstrate the probability that he is or is not the father of the child;

(d) That Except as provided under sub. (1m), the court or family court commissioner will order blood tests upon the request of any party; and

SECTION 2137b. 767.457 of the statutes is created to read:

767.457 Time of first appearance. (1) The first appearance under s. 767.458 may not be held any sooner than 30 days after service or receipt of the summons and petition.

(2) A first appearance of a respondent is not required if, at least 10 days prior to the scheduled appearance, the respondent waives his first appearance by filing a completed waiver of first appearance statement under s. 767.455 (5r).

SECTION 2137d. 767.458 (1m) of the statutes is created to read:

Vetoed in Part 767.458 (1m) ~~At the first appearance~~ in an action to establish the paternity of a child who was born to a woman while she was married, where a man other than the woman's husband alleges that he, not the husband, is the child's father, a party may allege that a judicial determination that a man other than the husband is the father is not in the best interest of the child. If the judge or court commissioner determines that a judicial determination of whether a man other than the husband is the father is not in the best interest of the child, no blood tests may be ordered and the action shall be dismissed.

SECTION 2137e. 767.458 (2) of the statutes is created to read:

767.458 (2) At the first appearance, if it appears from a sufficient petition or affidavit of the child's mother that there is probable cause to believe that any of the males named has had sexual intercourse with the mother during a possible time of the child's conception, the court or family court commissioner shall order any of the named persons to submit to blood tests. The tests shall be conducted in accordance with s. 767.48.

SECTION 2137h. 767.46 (2) (intro.) of the statutes

is amended to read:

767.46 (2) (intro.) On the basis of the information produced at the pretrial hearing, the judge or family court commissioner conducting the hearing shall evaluate the probability of determining the existence or nonexistence of paternity in a trial ~~and whether a judicial determination of paternity would be in the best interest of the child,~~ and shall so advise the parties. On the basis of the evaluation, the judge or family court commissioner may make an appropriate recommendation for settlement to the parties. This recommendation may include any of the following:

SECTION 2137L. 767.465 (2) of the statutes is repealed and recreated to read:

767.465 (2) **WHEN RESPONDENT FAILS TO APPEAR.** (a) If a respondent is the alleged father and fails to appear at the first appearance, unless the first appearance is not required under s. 767.457 (2), scheduled blood test, pretrial hearing or trial, the court or family court commissioner shall enter an order adjudicating the respondent to be the father and appropriate orders for support and custody. The orders shall be either personally served on the respondent or mailed by registered or certified mail, with return receipt signed by the respondent. The orders shall take effect 10 days after service or receipt unless, within that time, the respondent presents to the court or court commissioner evidence of good cause for failure to appear or failure to have undergone a blood test.

(b) A default judgment may not be entered under par. (a) if there is more than one person alleged in the petition to be the father, unless only one of those persons fails to appear and all of the other male respondents have been excluded as the father.

SECTION 2137o. 767.465 (3) of the statutes is renumbered 767.465 (3) (intro.) and amended to read:

767.465 (3) **MOTION TO REOPEN.** (intro.) A default judgment rendered under this section which adjudicates a person to be the father of a child may be reopened at:

(a) At any time upon motion or petition for good cause shown or upon.

(b) Upon a motion under s. 806.07.

SECTION 2137p. 767.465 (3) (c) of the statutes is created to read:

767.465 (3) (c) Within one year after the judgment upon motion or petition, ~~unless the respondent has previously undergone a blood test or blood tests that show that the respondent is not excluded and that the statistical probability of the respondent's parentage is 92.0% or higher.~~

SECTION 2137r. 767.48 (1) of the statutes is renumbered 767.48 (1) (a) and amended to read:

767.48 (1) (a) The court or family court commissioner may, and upon request of a party shall, require the child, mother, alleged father any male for whom there is probable cause to believe that he had sexual intercourse with the mother during a possible time of

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the child's conception, or any male witness who testifies or will testify about his sexual relations with the mother at a possible time of conception to submit to blood tests. Probable cause of sexual intercourse during a possible time of conception may be established by a sufficient petition or affidavit of the child's mother filed with the court, or after an examination under oath of a complainant or witness, when the court or family court commissioner determines such an examination is necessary.

(b) The blood tests shall be performed by an expert qualified as an examiner of genetic markers present on blood cells and components, appointed by the court. A report completed and certified by the court-appointed expert stating blood test results and the statistical probability of the alleged father's paternity based upon the blood tests is admissible as evidence without expert testimony and may be entered into the record at the trial or pretrial hearing if, at least 10 days before the trial or pretrial hearing, the party offering the report files it with the court and notifies all other parties of that filing.

SECTION 2137s. 767.48 (1m) of the statutes is created to read:

767.48 (1m) Under sub. (1), if the blood tests show that the alleged father is not excluded and that the statistical probability of the alleged father's parentage is 99.0% or higher, the alleged father shall be rebuttably presumed to be the child's parent.

SECTION 2137u. 767.48 (4) of the statutes is amended to read:

767.48 (4) Whenever the results of the blood tests exclude the alleged father as the father of the child, this evidence shall be conclusive evidence of nonpaternity and the court shall dismiss the action. Whenever the results of the tests exclude any male witness from possible paternity, the tests shall be conclusive evidence of nonpaternity of the male witness. Testimony relating to sexual intercourse or possible sexual intercourse of the mother with any person excluded as a possible father, as a result of a blood test, is inadmissible as evidence. If any party refuses to submit to the blood test, this fact shall be disclosed to the fact finder. This refusal is a contempt of the court for failure to produce evidence under s. 767.47 (5). If the action was brought by the child's mother but she refuses to submit herself or the child to blood tests, the action shall be dismissed.

SECTION 2137um. 767.49 of the statutes is created to read:

767.49 Trial date. In any paternity action in which blood tests are ordered under s. 767.48 (1), the court shall set a trial date which is not more than 180 days after the date on which the court receives the test results. The trial shall commence within that 180-day period unless the court finds, in writing, that good cause exists for granting a delay to a new specified trial date.

SECTION 2137v. 767.50 of the statutes is renumbered 767.50 (1) and amended to read:

767.50 (1) The trial shall be divided into 2 parts. The first part shall deal with the determination of paternity ~~and the initial establishment of support.~~ The 2nd part shall deal with child support, custody, visitation and related issues. At the first part of the trial, the main issue shall be whether the alleged or presumed father is or is not the father of the mother's child, but if the child was born to the mother while she was the lawful wife of a specified man there shall first be determined, as provided in s. 891.39, the prior issue of whether the husband was not the father of the child. ~~The first part of the trial shall be by jury, unless the defendant waives the right to trial by jury in writing or by statement in open court, on the record, with the approval of the court and the complainant only if the defendant verbally requests a jury trial either at the initial appearance or pretrial hearing or requests a jury trial in writing prior to the pretrial hearing.~~ The court may direct, and if requested by either party, before the introduction of any testimony in the party's behalf, shall direct the jury, in cases where there is a jury, to find a special verdict as to any of the issues specified in this section except that the court shall make all the findings enumerated in s. 767.51 (2) to (5). If the mother is dead, becomes insane, cannot be found within the jurisdiction or fails to commence or pursue the action, the proceeding does not abate if any of the persons under s. 767.45 (1) makes a motion to continue. The testimony of the mother taken at the pretrial hearing may in any such case be read in evidence if it is competent, relevant and material. The issues of child support, custody and visitation and related issues shall be determined by the court either immediately after the first part of the trial or at a later hearing before the court or a family court commissioner.

SECTION 2137w. 767.50 (2) of the statutes is created to read:

767.50 (2) If a jury is requested under sub. (1), the jury shall consist of 6 persons. No verdict is valid or received unless agreed to by at least 5 of the jurors.

SECTION 2137y. 767.51 (4) of the statutes is amended to read:

767.51 (4) Support judgments or orders ordinarily shall be for periodic payments which may vary in amount if appropriate. The payment amount may be expressed as a percentage of the parent's income or as a fixed sum. The father's liability for past support of the child shall be limited to support for the period ~~after commencement of action~~ the birth of the child.

SECTION 2138b. 778.02 of the statutes is amended to read:

778.02 Action in name of state; complaint; attachment. Every such forfeiture action shall be in the name of the state of Wisconsin, and it ~~shall be~~ is sufficient to allege in the complaint that the defendant is

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indebted to the plaintiff in the amount of the forfeiture claimed, according to the provisions of the statute which imposes it, specifying the statute and for the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1). If ~~such~~ the statute imposes a forfeiture for several offenses or delinquencies the complaint shall specify the particular offense or delinquency for which the action is brought, with a demand for judgment for the amount of ~~such~~ the forfeiture ~~and the~~ penalty assessment and jail assessment. If the defendant is a nonresident of the state, an attachment may issue.

SECTION 2138c. 778.03 of the statutes is amended to read:

778.03 Complaint to recover forfeited goods. In an action to recover property forfeited by any statute it shall be sufficient to allege in the complaint that the property has been forfeited, specifying the statute, with a demand of judgment for the delivery of the property, or the value thereof and for payment of the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1).

SECTION 2138d. 778.06 of the statutes is amended to read:

778.06 Action for what sum. When a forfeiture is imposed, not exceeding a specific sum or when it is not less than one sum or more than another, the action may be brought for the highest sum specified and for the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1); and judgment may be rendered for such sum as the court or jury shall assess or determine to be proportionate to the offense.

SECTION 2138e. 778.10 of the statutes is amended to read:

778.10 Municipal forfeitures, how recovered. All forfeitures imposed by any ordinance or regulation of any county, town, city or village, or of any other domestic corporation may be sued for and recovered, pursuant to this chapter, in the name of the county, town, city, village or corporation. It ~~shall be~~ is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the ordinance or regulation which imposes it and of the penalty assessment imposed by s. 165.87. ~~And when~~ and the jail assessment imposed by s. 53.46 (1). If the ordinance or regulation imposes a penalty or forfeiture for several offenses or delinquencies the complaint shall specify the particular offenses or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture ~~and of~~ the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1). All moneys collected on the judgment shall be paid to the

treasurer of the county, town, city, village or corporation, except that all jail assessments shall be paid to the county treasurer.

SECTION 2138f. 778.105 of the statutes is amended to read:

778.105 Disposition of forfeitures. Revenues from forfeitures imposed by any court or any branch thereof for the violation of any municipal or county ordinance shall be paid to the municipality or county. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 53.46 (1).

SECTION 2138g. 778.13 of the statutes is amended to read:

778.13 Forfeitures collected, to whom paid. All moneys collected in favor of the state for forfeiture, except the portion to be paid to any person who sues with the state, shall be paid by the officer who collects the forfeiture to the treasurer of the county within which the forfeiture was incurred within 20 days after its receipt. In case of any failure in the payment the county treasurer may collect the payment of the officer by action, in the name of the office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 53.46 (1).

SECTION 2138h. 778.18 of the statutes is amended to read:

778.18 Penalty upon municipal judge. If any municipal judge, of his or her own will, dismisses any action brought before the judge under this chapter, unless by order of the district attorney or attorney general or the person joined as plaintiff with the state, or renders a less judgment therein than is prescribed by law, or releases or discharges any such judgment or part thereof without payment or collection, the judge and the judge's sureties shall be liable, in an action upon the judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture imposed by the judge and for the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1), or for an amount equal to the amount in which any such judgment or any part thereof is released or discharged. If any municipal judge gives time or delay to any person against whom any such judgment is rendered by the judge, or takes any bond or security for its future payment, the judge and the judge's sureties shall also be liable for the payment of the judgment upon the judge's bond.

SECTION 2138i. 778.25 (2) (e) of the statutes is

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amended to read:

778.25 (2) (e) The maximum forfeiture ~~and~~ penalty assessment and jail assessment for which the defendant might be found liable and other penalties which may be imposed including suspension or revocation under s. 343.30 (6). Suspension or revocation under s. 343.30 (6) is not an option for violation of a statute or ordinance specified under sub. (1) (a) 2 or 3.

SECTION 2139b. 778.25 (2) (g) of the statutes is amended to read:

778.25 (2) (g) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the failure to appear will be considered tender of a plea of no contest and submission to a forfeiture ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in ~~s. ss.~~ 814.63 (1) and (2) and 814.635, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant or, if the defendant is an adult, issue an arrest warrant for the defendant rather than accept the deposit and plea.

SECTION 2139g. 778.25 (2) (h) of the statutes is amended to read:

778.25 (2) (h) Notice that if the defendant makes a deposit and signs the stipulation, the stipulation is treated as a plea of no contest and submission to a forfeiture ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in ~~s. ss.~~ 814.63 (1) and (2) and 814.635, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant or, if the defendant is an adult, issue an arrest warrant for the defendant rather than accept the deposit and stipulation, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation.

SECTION 2139m. 778.25 (3) of the statutes is amended to read:

778.25 (3) If a person is issued a citation under this section the person may deposit the amount of money the issuing officer directs by mailing or delivering the deposit and a copy of the citation to the clerk of court of the county where the violation occurred or the sheriff's office or police headquarters of the officer who issued the citation prior to the court appearance date. The basic amount of the deposit shall be determined under a deposit schedule established by the judicial conference. The judicial conference shall annually

review and revise the schedule. In addition to the basic amount determined by the schedule the deposit shall include costs, including ~~the any applicable~~ fees prescribed in ~~s. ss.~~ 814.63 (1) and (2) and 814.635, penalty assessment and jail assessment.

SECTION 2139n. 778.25 (4) of the statutes is amended to read:

778.25 (4) A person may make a stipulation of no contest by submitting a deposit and a stipulation in the manner provided by sub. (3) prior to the court appearance date. The signed stipulation is a plea of no contest and submission to a forfeiture plus costs and a penalty assessment and jail assessment not exceeding the amount of the deposit.

SECTION 2139p. 778.25 (5) of the statutes is amended to read:

778.25 (5) Except as provided by sub. (6) a person receiving a 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 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 ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in ~~s. ss.~~ 814.63 (1) and (2) and 814.635, 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, the check is the receipt.

SECTION 2139t. 778.25 (6) of the statutes is amended to read:

778.25 (6) The person receiving a deposit and stipulation of no contest 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 regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be considered to have submitted to a forfeiture ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in ~~s. ss.~~ 814.63 (1) and (2) and 814.635, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in sub. (5).

SECTION 2139v. 778.25 (8) (b) of the statutes is amended to read:

778.25 (8) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be considered to have tendered a plea of no contest and submitted to a forfeiture ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in s. ss. 814.63 (1) and (2) and 814.635, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons or arrest warrant, except if the defendant is a minor the court shall proceed under s. 48.28. Chapter 48 governs taking and holding a minor in custody. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint or petition to be filed. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

SECTION 2139x. 778.25 (8) (c) of the statutes is amended to read:

778.25 (8) (c) If the defendant has made a deposit and stipulation of no contest, the citation serves as the initial pleading and the defendant shall be considered to have tendered a plea of no contest and submitted to a forfeiture ~~and a~~ penalty assessment and jail assessment plus costs, including ~~the any applicable~~ fees prescribed in s. ss. 814.63 (1) and (2) and 814.635, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons or arrest warrant, except if the defendant is a minor the court shall proceed under s. 48.28. Chapter 48 governs taking and holding a minor in custody. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects of the stipulation.

SECTION 2139z. 778.25 (10) of the statutes is amended to read:

778.25 (10) An officer collecting moneys for a forfeiture, penalty assessment, jail assessment and costs under this section shall pay the same to the appropriate municipal or county treasurer within 20 days after its receipt by the officer, except that all jail assessments shall be paid to the county treasurer. If the officer fails to make timely payment, the municipal or county treasurer may collect the payment from the officer by an action in the treasurer's name of office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid.

SECTION 2139zb. 778.26 (2) (e) of the statutes is amended to read:

778.26 (2) (e) The maximum forfeiture ~~and~~ penalty assessment and jail assessment for which the defendant is liable.

SECTION 2139zc. 778.26 (2) (g) of the statutes is amended to read:

778.26 (2) (g) Notice that if the defendant makes a deposit and fails to appear in court at the time specified in the citation, the failure to appear will be considered tender of a plea of no contest and submission to a forfeiture ~~and~~ penalty assessment and jail assessment plus costs not to exceed the amount of the deposit. The notice shall also state that the court, instead of accepting the deposit and plea, may decide to summon the defendant or may issue an arrest warrant for the defendant upon failure to respond to a summons.

SECTION 2139zd. 778.26 (2) (h) of the statutes is amended to read:

778.26 (2) (h) Notice that if the defendant makes a deposit and signs the stipulation, the stipulation will be treated as a plea of no contest and submission to a forfeiture ~~and~~ penalty assessment and jail assessment plus costs not to exceed the amount of the deposit. The notice shall also state that the court, instead of accepting the deposit and stipulation, may decide to summon the defendant or issue an arrest warrant for the defendant upon failure to respond to a summons, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation.

SECTION 2139ze. 778.26 (3) of the statutes is amended to read:

778.26 (3) A defendant issued a citation under this section may deposit the amount of money the issuing officer directs by mailing or delivering the deposit and a copy of the citation prior to the court appearance date to the clerk of the circuit court in the county where the violation occurred or to the sheriff's office or police headquarters of the officer who issued the citation. The basic amount of the deposit shall be determined under a deposit schedule established by the judicial conference. The judicial conference shall annually review and revise the schedule. In addition to the basic amount determined by the schedule the deposit shall include the penalty assessment, jail assessment and costs.

SECTION 2139zf. 778.26 (4) of the statutes is amended to read:

778.26 (4) A defendant may make a stipulation of no contest by submitting a deposit and a stipulation in the manner provided by sub. (3) prior to the court appearance date. The signed stipulation is a plea of no contest and submission to a forfeiture plus the penalty assessment, jail assessment and costs not to exceed the amount of the deposit.

SECTION 2139zg. 778.26 (5) of the statutes is amended to read:

778.26 (5) Except as provided by sub. (6), a person

receiving a 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 the circuit court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time specified in the citation he or she shall be considered to have tendered a plea of no contest and submitted to a forfeiture ~~and~~, penalty assessment and jail assessment plus costs not to exceed the amount of the deposit and that the court may accept the plea. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, the canceled check is the receipt.

SECTION 2139zh. 778.26 (6) of the statutes is amended to read:

778.26 (6) The person receiving a deposit and stipulation of no contest 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 the circuit court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be considered to have submitted to a forfeiture ~~and~~, penalty assessment and jail assessment plus costs not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as provided in sub. (5).

SECTION 2139zi. 778.26 (7) (b) of the statutes is amended to read:

778.26 (7) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be considered to have tendered a plea of no contest and submitted to a forfeiture ~~and~~, penalty assessment and jail assessment plus costs not to exceed the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may, within 90 days after the date set for appearance, move to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a defendant is relieved from the plea of no contest, the court may order a written complaint or petition to be filed. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

SECTION 2139zj. 778.26 (7) (c) of the statutes is amended to read:

778.26 (7) (c) If the defendant has made a deposit and stipulation of no contest, the citation serves as the initial pleading and the defendant shall be considered to have tendered a plea of no contest and submitted to

a forfeiture ~~and~~, penalty assessment and jail assessment plus costs not to exceed the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons or an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on ~~such~~ the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects of the stipulation.

SECTION 2139zk. 778.26 (9) of the statutes is amended to read:

778.26 (9) An officer who collects a forfeiture, penalty assessment, jail assessment and costs under this section shall pay the money to the county treasurer within 20 days after its receipt. If the officer fails to make timely payment, the county treasurer may collect the payment from the officer by an action in the treasurer's name of office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid.

SECTION 2139zL. 800.02 (2) (a) 8 of the statutes is amended to read:

800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant is deemed to have tendered a plea of no contest and submits to a forfeiture ~~and~~, penalty assessment and jail assessment plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 2139zm. 800.02 (3) (e) of the statutes is amended to read:

800.02 (3) (e) A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the ordinance, resolution or bylaw upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, the penalty assessment, the jail assessment and such other relief that is sought by the plaintiff.

SECTION 2139zn. 800.03 (3) of the statutes is amended to read:

800.03 (3) The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality. The amount shall not exceed the maximum penalty for the offense, including any penalty assessment which would be applicable under s. 165.87 and any jail assessment which would be applicable under s. 53.46 (1), plus court costs, including the fee prescribed in s. 814.65 (1).

SECTION 2139zo. 800.04 (2) (b) of the statutes is

amended to read:

800.04 (2) (b) If the municipal judge determines that the defendant should not be released under par. (a) and the defendant is charged with a traffic or boating violation, the municipal judge shall release the defendant on a deposit in the amount established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66. For other violations, the municipal judge shall establish a deposit in an amount not to exceed the maximum penalty for the offense, including any penalty assessment which would be applicable under s. 165.87 and any jail assessment which would be applicable under s. 53.46 (1). On failure of the defendant to make a deposit under this paragraph, he or she may be committed to jail pending trial only if the judge finds that there is a reasonable basis to believe the person will not appear in court.

SECTION 2139zp. 800.04 (2) (c) of the statutes is amended to read:

800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03 and does not appear, he or she is deemed to have tendered a plea of no contest and submits to a forfeiture ~~and~~, a penalty assessment imposed by s. 165.87 and a jail assessment imposed by s. 53.46 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue a warrant under s. 968.09. If the defendant has made a deposit but does appear, the court shall allow the defendant to withdraw the plea of no contest.

SECTION 2139zq. 800.09 (1) of the statutes is amended to read:

800.09 (1) JUDGMENT. If a municipal court finds a defendant guilty it may render judgment by ordering payment of a forfeiture ~~and~~, the penalty assessment imposed by s. 165.87 and the jail assessment imposed by s. 53.46 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1), and by imprisonment in default of the payment. Persons who fail to pay forfeitures, penalty assessments, jail assessments and costs shall be committed to a jail or a house of correction in the county in which the cause of action arose for not more than 90 days and shall be kept at the expense of the municipality. Any person committed under this section may be accorded privileges under s. 56.08. The court may defer payment of any judgment for not more than 60 days. At the time the judgment is rendered, the court shall inform the defendant of the date by which payment of the forfeiture, penalty assessment, jail assessment and costs must be made, and of the possible consequences of failure to make the payment in timely fashion. A municipal court may order the payment of restitution under s. 755.045 (3).

SECTION 2139zr. 800.09 (2) (b) of the statutes is amended to read:

800.09 (2) (b) If the person arrested and released

fails to appear personally or by an attorney at the time fixed for hearing of the case, the defendant may be deemed to have entered a plea of no contest and the money deposited, if any, or such portion thereof as the court determines to be an adequate penalty, plus the penalty assessment, jail assessment and costs, including the fee prescribed in s. 814.65 (1), may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed, together with the penalty assessment, jail assessment and costs. In either event, any remaining money shall be refunded to the person who made the deposit.

SECTION 2139zs. 800.10 (2) of the statutes is amended to read:

800.10 (2) All forfeitures, fees, penalty assessments and costs paid to a municipal court under a judgment before a municipal judge shall be paid to the municipal treasurer within 7 days after receipt of the money by a municipal judge or other court personnel. At the time of the payment, the municipal judge shall report to the municipal treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments and costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All jail assessments paid to a municipal court under a judgment before a municipal judge shall be paid to the county treasurer within 7 days after receipt of the money by a municipal judge or other court personnel.

SECTION 2139zt. 800.12 (2) of the statutes is amended to read:

800.12 (2) A municipality may by ordinance provide that a municipal judge may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50 or, upon nonpayment of the forfeiture ~~and the~~, penalty assessment under s. 165.87 and jail assessment under s. 53.46, a jail sentence not to exceed 7 days.

SECTION 2142g. 812.01 (7) of the statutes is amended to read:

812.01 (7) ~~"Federal minimum hourly Minimum wage" means that the wage prescribed by sec. 6 (a) (1) of the fair labor standards act of 1938, as amended under s. 104.025 (2) (a).~~

SECTION 2142m. 812.04 (2) of the statutes is amended to read:

812.04 (2) The garnishee summons shall be substantially in the following form:

STATE OF WISCONSIN
... COURT
... COUNTY
A. B., Plaintiff
vs.
C. D., Defendant
and
E. F., Garnishee
The State of Wisconsin, to the garnishee:

You are hereby summoned, as garnishee of the defendant, C. D., and required, within 20 days after

Vetoed
in Part

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in Part

the service of this summons and the annexed som-
plaint upon you, exclusive of the day of service, to
answer, whether you are indebted to or have in your
possession or under your control any property
belonging to the defendant.

IF YOU ARE INDEBTED TO THE DEFEN-
DANT YOU ARE ORDERED TO PAY THE PRE-
SCRIBED SUBSISTENCE ALLOWANCE TO
THE DEFENDANT IF EARNINGS ARE THE
SUBJECT MATTER OF THIS GARNISHMENT
ACTION. IF YOU ARE INDEBTED TO THE
DEFENDANT FOR PAYMENT FOR THE SALE
OF AGRICULTURAL PRODUCTS, YOU ARE
ORDERED TO PAY THE PRESCRIBED
AMOUNT TO THE DEFENDANT. YOU ARE
ORDERED TO RETAIN FROM THE BALANCE
THE AMOUNT OF PLAINTIFF'S CLAIM AND
DISBURSEMENTS, NOT TO EXCEED \$40 AS
STATED IN THE ANNEXED COMPLAINT
PENDING THE FURTHER ORDER OF THE
COURT. ANY EXCESS INDEBTEDNESS SHALL
NOT BE SUBJECT TO THE GARNISHMENT. IF
YOU HAVE PROPERTY OR EARNINGS
BELONGING TO THE DEFENDANT AND THE
AMOUNT OF INDEBTEDNESS RETAINED IS
LESS THAN THE AMOUNT CLAIMED AND
DISBURSEMENTS, NOT TO EXCEED \$40, YOU
ARE TO RETAIN THE PROPERTY OR EARN-
INGS PENDING THE FURTHER ORDER OF
THE COURT, EXCEPT AS PROVIDED IN SEC-
TION 812.18 (3) OF THE WISCONSIN
STATUTES.

You are further required to serve a copy of your
answer to the garnishee complaint on the undersigned
attorney and to file your original answer with the clerk
of this court, within the 20-day period. In case of your
failure to answer, judgment will be entered against
you for the amount of plaintiff's judgment against the
defendant and costs, of which the defendant will also
take notice.

If earnings are the subject matter of this garnish-
ment action, you are required under section 812.18 (2)
of the Wisconsin Statutes to pay over to the principal
defendant, on the date when the earnings subject to
the garnishment action are normally payable, a subsis-
tence allowance, out of the earnings then owing, in the
sum of either 75% of the defendant's disposable earn-
ings or 30 times the federal minimum hourly wage in
effect at the time the earnings are payable, whichever
is greater.

If the property which is the subject of this garnish-
ment action is the proceeds from the sale of crops,
livestock, dairy products or another product grown or
produced by a person or by his or her minor children,
you must pay over to the principal defendant the
appropriate amount under section 812.18 (2m) (b) of
the Wisconsin Statutes.

Dated this ... day of ..., 19...

Vetoed
in Part

Clerk of ... Court
(Seal)
Attorney for Plaintiff

P. O. Address

SECTION 2142r. 812.18 (2) (a) 2 and 3 of the stat-
utes are amended to read:

812.18 (2) (a) 2. An amount equal to 30 times the
federal minimum hourly wage for each full week of the
pay period, or

3. In the case of earnings for a period other than a
week, the defendant shall receive a subsistence allow-
ance computed so that it is equivalent to that in subd.
2 using a multiple of the federal minimum hourly wage
prescribed by rule of the department of industry, labor
and human relations.

SECTION 2142t. 812.233 of the statutes is created
to read:

**812.233 Garnishment of aid to families with depen-
dent children.** (1) (a) Only a judgment creditor may
maintain a garnishment action against the state, under
this section, to reach the aid to families with depen-
dent children benefit of the judgment debtor.

(b) A judgment creditor may maintain a garnish-
ment action under this section to reach an aid to fami-
lies with dependent children benefit only if all of the
following conditions are met:

1. The judgment creditor is the current or former
landlord of the judgment debtor.
2. The debt is a result of failure of the judgment
debtor to pay rent or of damage the judgment debtor
caused to the landlord's property in excess of any
security deposit.

(2) Sections 812.01 (2), (2a) and (3), 812.02 (2e) and
(2m), 812.04 (1), 812.14, 812.19, 812.20 and 812.21
apply to a garnishment action under this section.

(3) (a) The judgment creditor shall allege in the
complaint that the conditions under sub. (1) (b) are
met and that the judgment creditor believes that the
judgment debtor is a recipient of aid to families with
dependent children under s. 49.19. The complaint
shall also contain the name and location of the court,
case number, date of entry and amount of judgment
on which the garnishment action is based and the
amount of the claim and disbursements.

(b) The garnishee summons shall be substantially in
the following form:

STATE OF WISCONSIN
....COURT
....COUNTY
A. B., Plaintiff
vs.
C. D., Defendant
and
State of Wisconsin, Garnishee

You are hereby summoned, as garnishee of the defendant, C. D., and required, within 20 days after the service of this summons and the annexed complaint upon you, exclusive of the day of service, to answer, whether C. D. is a recipient of aid to families with dependent children.

If the defendant is a recipient of aid to families with dependent children, you are ordered to pay the amount under section 812.233 (6) of the Wisconsin Statutes to the defendant. You are ordered to retain the balance of the defendant's aid to families with dependent children benefit, if any, pending further order of the court.

Dated this day of, 19

Clerk of Court
(Seal)

(c) The garnishee summons and complaint shall be served upon the state by delivery to the department of health and social services.

(d) The garnishee fee under s. 812.06 shall be made payable to the treasurer of the state.

(e) A copy of the garnishee summons and complaint shall also be served on the judgment debtor not later than 10 days after service on the garnishee. If a copy of the garnishee summons and complaint is not served on the judgment debtor, the garnishment action shall be dismissed.

(4) Within 20 days after service under sub. (3) (c), the department of health and social services shall answer the complaint by delivering or mailing to the court a certificate showing whether the judgment debtor is a recipient of aid to families with dependent children and, if so, the current monthly benefit amount.

(5) The judgment debtor may, within 20 days after the service of the garnishee summons and complaint on him or her, answer the garnishee complaint and defend the garnishment action.

(6) The state shall pay to the judgment debtor 93% of the monthly aid to families with dependent children grant amount as calculated under s. 49.19 (5) and (11) on the date that the benefit is normally paid. Any amount withheld from the aid to families with dependent children check to recoup an overpayment or for any other reason shall not be deducted in computing the monthly grant amount. The state shall pay out the balance of each month's aid to families with dependent children benefit, if any, to the court or the judgment creditor, as ordered by the court, until the amount demanded in the garnishee complaint, plus disbursements, is paid out, unless the court terminates the payments sooner.

(7) The department of health and social services may promulgate rules for the administration of this section.

SECTION 2143g. 814.60 (2) (ag) of the statutes is created to read:

814.60 (2) (ag) Jail assessment imposed by s. 53.46 (1);

SECTION 2143m. 814.60 (2) (b) of the statutes is amended to read:

814.60 (2) (b) Domestic abuse assessment imposed by s. 971.37 (1m) (c) 1 or 973.055;

SECTION 2143p. 814.61 (1) (a) of the statutes is amended to read:

814.61 (1) (a) At the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, \$45. This does not include any action to determine paternity brought by the state or its delegate under s. 767.45 (1) (g) or (h).

~~SECTION 2143q. 814.61 (12) (b) (intro.) of the statutes is amended to read:~~

~~814.61 (12) (b) Maintenance payments and support. (intro.) For receiving and disbursing money deposited as payment for maintenance payments, child support or family support payments, under interim or final orders in an action affecting the family, an annual fee of \$10 to be paid by the party ordered to make payments. The court shall order the annual fee to be paid at the time of, and in addition to, the first payment to the clerk in each year for which payments are ordered, except that in the year in which the court orders payments, the court shall order the annual fee for that year to be paid no later than 30 days after the date the payments are ordered. If the annual fee is not paid when due, the clerk shall not deduct the annual fee from the maintenance or support payment, but:~~

~~SECTION 2143r. 814.61 (12) (c) of the statutes is created to read:~~

~~814.61 (12) (c) Notice of annual fee. The clerk shall notify the person ordered to make payments under par. (b) of the requirements regarding payment of the annual fee imposed under par. (b), including the results of failure to pay the annual fee when due. The notification required under this paragraph shall be given 30 days before the due date of the annual fee imposed for the year in which payments are ordered and on December 1 annually thereafter. The notification required under this paragraph does not affect court orders regarding the due dates for maintenance payments, child support or family support payments.~~

SECTION 2143t. 814.63 (3) (ag) of the statutes is created to read:

814.63 (3) (ag) Jail assessment imposed by s. 53.46 (1);

SECTION 2144a. 814.635 of the statutes is created to read:

814.635 Fee for automation. (1) The clerk of circuit court shall charge and collect a \$1 court automation fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (a) 1 or 2, 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The court automation fee is in addition to the other fees listed in this subsection.

(2) The clerk shall pay the moneys collected under sub. (1) to the county treasurer under s. 59.395 (5). The county treasurer shall pay those moneys to the

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state treasurer under s. 59.20 (11) for deposit in the general fund.

SECTION 2144m. 814.67 (1) (b) 2 of the statutes is amended to read:

814.67 (1) (b) 2. For interpreters, ~~\$10~~ \$35 per one-half day or such higher fees as the county board may establish.

SECTION 2150c. 851.17 of the statutes is amended to read:

851.17 Net estate. "Net estate" means all property subject to administration less the property selected by the surviving spouse under s. 861.33, the allowances made by the court under ss. 861.31, 861.35 and 861.41 except as those allowances are charged by the court against the intestate share of the recipient, administration, funeral and burial expenses, the amount of claims paid and federal and state estate taxes payable out of such property ~~but not inheritance taxes.~~

SECTION 2150g. 851.70 of the statutes is amended to read:

851.70 Presumption in favor of orders. When the validity of any order or judgment of a circuit court in a probate proceeding or certificate to terminate a life estate or joint tenancy in ~~an inheritance~~ a death tax proceeding, shall be ~~is~~ drawn in question in another action or proceeding, everything necessary to have been done or proved to render the order, judgment or certificate valid, and which might have been proved by parole evidence at the time of making the order or judgment and was not required to be recorded, shall, after 20 years from that time, be presumed to have been done or proved unless the contrary appears on the same record.

SECTION 2150n. 859.01 (3) of the statutes is amended to read:

859.01 (3) This section does not bar claims based on tort, claims based on Wisconsin income, sales, withholding, ~~gift, inheritance or estate~~ or death taxes, claims for funeral expenses, claims for administration expenses or claims of the United States.

SECTION 2150r. 863.27 of the statutes is amended to read:

863.27 Contents of final judgment. In the final judgment the court shall approve the final account, designate the persons to whom assignment and distribution is being made and assign to each of them the property or proportions or parts of the estate or the amounts to which each is entitled. The findings of fact which support the judgment shall include a determination of the heirs of the decedent; facts showing that all jurisdictional requirements have been met; the date of death of the decedent and the decedent's testacy or intestacy; facts relating to the payment of state ~~inheritance and estate death~~ death tax, state income tax and claims and charges against the estate. If immediately before death the decedent had an estate for life or an interest as a joint tenant in any property in regard to which a certificate of termination has not been issued under s.

867.04 or an interest in marital property for which a certificate has not been issued under s. 865.201 or 867.046, the findings of fact which support the judgment shall set forth the termination of the life estate, the right of survivorship of any joint tenant or the decedent's interest in marital property and, upon the petition of the decedent's spouse, the confirmation of the one-half interest held by the surviving spouse in marital property immediately before the death of the decedent spouse. In addition, the findings of fact shall, upon petition of a designated person, trust or other entity under s. 766.58 (3) (f), set forth the confirmation, of an interest in property passing by nontestamentary disposition under s. 766.58 (3) (f). Every tract of real property in which an interest is assigned or terminated shall be specifically described. If a fund is withheld from distribution for the payment of contingent claims, for meeting possible tax liability or for any other reasonable purpose, the judgment shall provide for the distribution of the fund if all or a part of it is not needed.

SECTION 2150w. 865.16 (1) (b) of the statutes is amended to read:

865.16 (1) (b) Fully administered the estate of the decedent by making payment, settlement or other disposition of all claims which were presented, expenses of administration, reasonable funeral and burial expenses and ~~estate, inheritance death~~ death and other taxes, except as expressly specified otherwise, and that the assets of the estate have been inventoried and distributed to the persons entitled ~~thereto~~ to them. If any claims, expenses or taxes remain undischarged, the statement shall disclose in detail all arrangements made to accommodate the outstanding liabilities; and

SECTION 2160c. 865.20 (2) of the statutes is amended to read:

865.20 (2) Upon being filed with the probate registrar, the statement shall ~~constitute prima facie be presumed to be~~ evidence of the facts recited and ~~shall evidence of~~ the termination of the decedent's interest in the property listed ~~thereon, with the same effect on~~ it as if a certificate terminating joint tenancy or life estate had been issued by the court under s. 867.04. If the statement describes an interest in real property or a debt which is secured by an interest in real property a certified copy or duplicate original of the statement may be recorded in the office of the register of deeds in each county in this state in which real property is located. This statement ~~shall does not constitute a~~ release of any inheritance death tax lien.

SECTION 2160g. 867.01 (3) (a) 2 of the statutes is amended to read:

867.01 (3) (a) 2. A detailed statement of property in which the decedent had an interest, property over which the decedent had a power of appointment, benefits payable on the decedent's death under annuities or under a retirement plan, life insurance, joint and life tenancies, gifts made in contemplation of death or

taking effect upon death or made within 2 years prior to death and any other property ~~which that~~ may be subject to ~~inheritance tax~~ death taxes as a result of the decedent's death.

SECTION 2160n. 867.01 (3) (e) of the statutes is repealed.

SECTION 2160r. 867.01 (3) (f) of the statutes is amended to read:

867.01 (3) (f) *Order*. If the court is satisfied that the estate ~~is one proper to~~ may be settled by under this section, it shall assign the property to the persons entitled to ~~the same it~~. If the estate ~~is eligible to~~ may be settled under sub. (1) (b), any property not otherwise assigned shall be assigned to the surviving spouse or minor children or both as an allowance under s. 861.31. The court shall order any person indebted to or holding money or other property of the decedent to pay the indebtedness or deliver the property to the persons found to be entitled to receive ~~the same~~. It it. The court shall order the transfer of interests in real estate, stocks or bonds registered in the name of the decedent, the title of a licensed motor vehicle, or any other form of property ~~whatsoever~~. If the decedent immediately prior to death had an estate for life or an interest as a joint tenant in any property in regard to which a certificate of termination in accordance with s. 867.04 has not been issued, the order shall set forth the termination of ~~such that~~ life estate or the right of survivorship of any joint tenant. Every tract of real property in which an interest is assigned or terminated or which is security for a debt in which an interest is assigned or terminated shall be specifically described. ~~The order shall state that the department of revenue has determined the inheritance tax, and that it has been paid, or that the department has determined that no inheritance tax is due.~~

SECTION 2160w. 867.02 (2) (e) of the statutes is repealed.

SECTION 2170d. 867.02 (2) (g) of the statutes is amended to read:

867.02 (2) (g) *Order*. If the court is satisfied that the estate ~~is one proper to~~ may be settled by this section, after filing of the petition and proof of the will, and after 30 days have elapsed since publication under par. (d), it shall ~~forthwith~~ assign the property to the creditors and persons interested who are entitled to ~~the same it~~. The assignment shall be subject to the unknown rights of creditors or persons interested in the estate as limited in sub. (4). The court shall order any person indebted to or holding money or other property of the decedent to pay the indebtedness or deliver the property to the persons found to be entitled to receive ~~the same it~~. It shall order the transfer of interests in real estate, stocks or bonds registered in the name of the decedent, the title of a licensed motor vehicle or any other form of property. If the decedent immediately prior to death had an estate for life or an interest as a joint tenant in any property in regard to which a certificate of termination under s. 867.04 has

not been issued, the order shall set forth the termination of ~~such~~ the life estate or the right of survivorship of any joint tenant. Every tract of real property in which an interest is assigned or terminated or which is security for a debt in which an interest is assigned or terminated shall be specifically described. ~~The order shall state that the department of revenue has determined the inheritance tax, and that it has been paid, or that the department has determined that no inheritance tax is due.~~

SECTION 2170h. 867.045 (4) of the statutes is amended to read:

867.045 (4) Upon the recording, the application shall ~~constitute prima facie~~ be presumed to be evidence of the facts recited and shall ~~constitute the termination of~~ terminate the joint tenancy or life estate, all with the same force and effect as if issued by the court assigned to exercise probate jurisdiction for the county of domicile of the decedent under s. 867.04. This application shall not constitute evidence of payment of any ~~inheritance~~ death tax which may be due, the payment for which shall remain an obligation of the surviving joint tenant or remainderman.

SECTION 2170hm. 880.05 of the statutes is amended to read:

880.05 Venue. All petitions for guardianship of residents of the state shall be directed to the circuit court of the county of residence ~~or the county of legal settlement of the person subject to guardianship or of the county in which the person is physically present~~. A petition for guardianship of the person or estate of a nonresident may be directed to the circuit court of any county where the person or any property of the nonresident may be found.

SECTION 2170j. 885.37 (4) (a) 2 of the statutes is amended to read:

885.37 (4) (a) 2. In circuit court, the ~~county~~ state shall pay the expense.

SECTION 2170p. 893.33 (5) of the statutes is amended to read:

893.33 (5) This section bars all claims to an interest in real property, whether rights based on marriage, remainders, reversions and reverter clauses in covenants restricting the use of real estate, mortgage liens, old tax deeds, ~~inheritance, gift~~ death and income tax liens, rights as heirs or under will, or any claim of any nature, however denominated, and whether such claims are asserted by a person sui juris or under disability, whether such person is within or without the state, and whether such person is natural or corporate, or private or governmental, unless within the 30-year period provided by sub. (2) there has been recorded in the office of the register of deeds some instrument expressly referring to the existence of the claim, or a notice pursuant to this section. This section does not apply to any action commenced or any defense or counterclaim asserted, by any person who is in possession of the real estate involved as owner at the time the action is commenced. This section does not apply to

any real estate or interest in real estate while the record title to the real estate or interest in real estate remains in a railroad corporation or a public service corporation as defined in s. 184.01, or any trustee or receiver of a railroad corporation or a public service corporation, or to claims or actions founded upon mortgages or trust deeds executed by those corporations, or trustees or receivers of those corporations. This section also does not apply to real estate or an interest in real estate while the record title to the real estate or interest in real estate remains in the state or a political subdivision or municipal corporation of this state.

SECTION 2170q. 895.035 (2m) of the statutes is repealed.

SECTION 2170r. 895.22 of the statutes is amended to read:

895.22 (title) Wisconsin family month, week and Sunday. The month of November, in which the celebration of Thanksgiving occurs, is designated as Wisconsin Family Month, the first 7 days of that month are designated as Wisconsin Family Week and the first Sunday of that month is designated as Family Sunday. In conjunction therewith, appropriate observances, ceremonies, exercises and activities may be held under state auspices to focus attention on the principles of family responsibility to spouses, children and parents, as well as on the importance of the stability of marriage and the home for our future well-being; and the chief officials of local governments and the people of the state are invited either to join and participate therein or to conduct like observances in their respective localities.

SECTION 2170t. 895.51 (1) (b) of the statutes is amended to read:

895.51 (1) (b) "Charitable organization" ~~has the meaning specified in s. 71.04(5)(d) 2~~ means an organization the contributions to which are deductible by corporations in computing net income under s. 71.02 (1) (c) (intro.).

SECTION 2180b. 943.13 (2) of the statutes is renumbered 943.13 (2) (intro.) and amended to read:

943.13 (2) (intro.) A person has received notice from the owner or occupant within the meaning of this section if he or she has been notified personally, either orally or in writing, or if the land is posted. ~~For land to be posted,~~ Land is considered to be posted under this subsection under either of the following procedures:

(a) If a sign at least 11 inches square must be is placed in at least 2 conspicuous places for every 40 acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. Proof that appropriate signs as herein

provided in this paragraph were erected or in existence upon the premises to be protected within 6 months prior to the event complained of shall be prima facie proof that the premises to be protected were posted as herein provided in this paragraph.

SECTION 2180d. 943.13 (2) (b) of the statutes is created to read:

943.13 (2) (b) If markings in blaze orange and at least one foot long, including in a contrasting color the phrase "private land" and the name of the owner, are made in at least 2 conspicuous places for every 40 acres to be protected.

~~SECTION 2180m. 943.24 (1) of the statutes is amended to read:~~

~~943.24 (1) Whoever issues any check or other order for the payment of money less than \$500 which, at the time of issuance, he or she intends shall not be paid is subject to a Class A forfeiture, except the person is guilty of a Class A misdemeanor if he or she has previously violated this section or a local ordinance in conformity with this section.~~

Vetoed
in Part

SECTION 2180r. 946.42 (3) (e) of the statutes is created to read:

946.42 (3) (e) Subject to an order under s. 48.366.

SECTION 2180s. 946.44 (2) (d) of the statutes is amended to read:

946.44 (2) (d) "Prisoner" includes a person who is committed to the custody of the department of health and social services under s. 48.34 (4m) or who is subject to an order under s. 48.366.

SECTION 2180t. 946.45 (2) (d) of the statutes is amended to read:

946.45 (2) (d) "Prisoner" includes a person who is committed to the custody of the department of health and social services under s. 48.34 (4m) or who is subject to an order under s. 48.366.

SECTION 2187. 949.06 (5) (a) of the statutes is amended to read:

949.06 (5) (a) Except as provided in pars. (b) to (e), the department shall make awards under this section from the ~~appropriation~~ appropriations under s. 20.455 (5) (b) or (m).

SECTION 2187m. 949.08 (2) (g) of the statutes is created to read:

949.08 (2) (g) Has been certified to the department under s. 46.255 (7) as being delinquent in child support or maintenance payments.

SECTION 2187p. 970.035 of the statutes is created to read:

970.035 Preliminary examination; child younger than 16 years old. Notwithstanding s. 970.03, if a preliminary examination under s. 970.03 is held regarding a child who was waived under s. 48.18 for a violation which is alleged to have occurred prior to his or her 16th birthday, the court may bind the child over for trial only if there is probable cause to believe that a crime under s. 940.01 or 940.02 has been committed.

If the court does not make that finding, the court shall order that the child be discharged but proceedings may be brought regarding the child under ch. 48.

SECTION 2199g. 971.20 (3) of the statutes is renumbered 971.20 (3) (b).

SECTION 2199i. 971.20 (3) (a) of the statutes is created to read:

971.20 (3) (a) In this subsection, "judge" includes a court commissioner who is assigned to conduct the preliminary examination.

SECTION 2199m. 971.37 (1m) (c) of the statutes is created to read:

971.37 (1m) (c) 1. The agreement may provide as one of its conditions that the person pay the domestic abuse assessment under s. 973.055. Payments and collections under this subdivision are subject to s. 973.055 (2) to (4), except as follows:

a. The district attorney shall determine the amount due. The district attorney may authorize less than a full assessment if he or she believes that full payment would have a negative impact on the offender's family. The district attorney shall provide the clerk of circuit court with the information necessary to comply with subd. 1. b.

b. The clerk of circuit court shall collect the amount due from the person and transmit it to the county treasurer.

2. If the prosecution is resumed under sub. (2) and the person is subsequently convicted, a court shall give the person credit under s. 973.055 for any amount paid under subd. 1.

SECTION 2200ar. 972.13 (6) of the statutes is amended to read:

972.13 (6) The following forms may be used for judgments:

STATE OF WISCONSIN

.... County

In Court

The State of Wisconsin

vs.

....(Name of defendant)

UPON ALL THE FILES, RECORDS AND PROCEEDINGS,

IT IS ADJUDGED That the defendant has been convicted upon the defendant's plea of guilty (not guilty and a verdict of guilty) (not guilty and a finding of guilty) (no contest) on the day of, 19..., of the crime of in violation of s.; and the court having asked the defendant whether the defendant has anything to state why sentence should not be pronounced, and no sufficient grounds to the contrary being shown or appearing to the court.

*IT IS ADJUDGED That the defendant is guilty as convicted.

*IT IS ADJUDGED That the defendant is hereby committed to the Wisconsin state prisons (county jail of county) for an indeterminate term of not more than

*IT IS ADJUDGED That the defendant is hereby committed to detention in (the defendant's place of residence or place designated by judge) for a term of not more than

*IT IS ADJUDGED That the defendant is ordered to pay a fine of \$.... (and the costs of this action).

*IT IS ADJUDGED That the defendant pay restitution to....

*IT IS ADJUDGED That the defendant is restricted in his or her use of computers as follows:....

*The at is designated as the Reception Center to which the defendant shall be delivered by the sheriff.

*IT IS ORDERED That the clerk deliver a duplicate original of this judgment to the sheriff who shall forthwith execute the same and deliver it to the warden.

Dated this day of, 19... BY THE COURT

Date of Offense,

District Attorney,

Defense Attorney

*Strike inapplicable paragraphs.

STATE OF WISCONSIN

.... County

In Court

The State of Wisconsin

vs.

....(Name of defendant)

On the day of, 19..., the district attorney appeared for the state and the defendant appeared in person and by the defendant's attorney.

UPON ALL THE FILES, RECORDS AND PROCEEDINGS

IT IS ADJUDGED That the defendant has been found not guilty by the verdict of the jury (by the court) and is therefore ordered discharged forthwith.

Dated this day of, 19... BY THE COURT

SECTION 2200b. 972.14 of the statutes is amended to read:

972.14 Statements before sentencing. Before pronouncing sentence, the court shall inquire of the defendant why sentence should not be pronounced upon him or her and accord the district attorney, defense counsel and defendant an opportunity to make a statement with respect to any matter relevant to sentence. In addition, if the defendant is under 21 years of age and if the court has not ordered a presentence investigation under s. 972.15, the court shall ask the defendant if he or she has been adjudged delinquent under ch. 48 or has had a similar adjudication in any other state in the 3 years immediately preceding the date the criminal complaint relating to the present offense was issued.

SECTION 2200d. 972.15 (2s) of the statutes is created to read:

972.15 (2s) If the defendant is under 21 years of age, the person preparing the presentence investigation

report shall attempt to determine whether the defendant has been adjudged delinquent under ch. 48 or has had a similar adjudication in any other state in the 3 years immediately preceding the date the criminal complaint relating to the present offense was issued and, if so, shall include that information in the report.

SECTION 2200f. 973.013 (3) of the statutes is amended to read:

973.013 (3) Female persons convicted of a felony may be committed to the Taycheedah correctional institution unless they are subject to sub. (3m).

SECTION 2200h. 973.013 (3m) of the statutes is created to read:

973.013 (3m) If a person who has not attained the age of 16 years is sentenced to the Wisconsin state prisons, the department shall place the person at a secured juvenile correctional facility, unless the department determines that placement in an institution under s. 53.01 is appropriate based on the person's prior record of adjustment in a correctional setting, if any; the person's present and potential vocational and educational needs, interests and abilities; the adequacy and suitability of available facilities; the services and procedures available for treatment of the person within the various institutions; the protection of the public; and any other considerations promulgated by the department by rule. This subsection does not preclude the department from designating an adult correctional institution as a reception center for the person and subsequently transferring the person to a secured juvenile correctional facility. Section 53.11 and ch. 57 apply to all persons placed in a secured juvenile correctional facility under this subsection.

SECTION 2202n. 973.02 of the statutes is amended to read:

973.02 Place of imprisonment when none expressed. When a statute authorizes imprisonment for its violation but does not prescribe the place of imprisonment, 1) a sentence of less than one year shall be to the county jail, 2) a sentence of more than one year shall be to the Wisconsin state prisons and the minimum under the indeterminate sentence law shall be one year, and 3) a sentence of one year may be to either the Wisconsin state prisons or the county jail. ~~But in~~ In any proper case, sentence and commitment may nevertheless be to the department or any house of correction or other institution as provided by law or to detention under s. 973.03 (4).

SECTION 2205m. 973.03 (4) of the statutes is created to read:

973.03 (4) (a) In lieu of a sentence of imprisonment to the county jail, a court may impose a sentence of detention at the defendant's place of residence or other place designated by the court. The length of detention may not exceed the maximum possible period of imprisonment. The detention shall be monitored by the use of an electronic device worn

continuously on the defendant's person and capable of providing positive identification of the wearer at the detention location at any time. A sentence of detention in lieu of jail confinement may be imposed only if agreed to by the defendant. The court shall ensure that the defendant is provided a written statement of the terms of the sentence of detention, including a description of the detention monitoring procedures and requirements and of any applicable liability issues.

(b) A person sentenced to detention under par. (a) is eligible to earn good time in the amount of one-fourth of his or her term for good behavior if sentenced to at least 4 days, but fractions of a day shall be ignored. The person shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). If the defendant fails to comply with the terms of the sentence of detention, the court may order the defendant brought before the court and the court may order the defendant deprived of good time.

(c) If the defendant fails to comply with the terms of the sentence of detention, the court may order the defendant brought before the court and the court may order that the remainder of the sentence of detention be served in the county jail.

(d) A sentence under this subsection is not a sentence of imprisonment, except for purposes of ss. 973.04, 973.15 (8) and 973.19.

SECTION 2207. 973.045 (1) (a) and (b) of the statutes are amended to read:

973.045 (1) (a) For each misdemeanor offense or count, ~~\$20~~ \$30.

(b) For each felony offense or count, ~~\$30~~ \$50.

SECTION 2208g. 973.05 (1) of the statutes is amended to read:

973.05 (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. 165.87, ~~the jail assessment imposed by s. 53.46 (1),~~ the crime victim and witness assistance surcharge under s. 973.045, any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1 or 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s. 167.31, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s. 29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, ~~the jail assessment,~~ the crime victim and witness assistance surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

SECTION 2208h. 973.05 (2) of the statutes is amended to read:

973.05 (2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to the payment of the jail assessment until paid in full, shall then be applied to the payment of the crime victim and witness assistance surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full, shall then be applied to payment of the weapons assessment until paid in full and shall then be applied to payment of the fine.

SECTION 2208m. 973.05 (3) (a) of the statutes is amended to read:

973.05 (3) (a) In lieu of part or all of a fine imposed by a court, the court may stay the execution of part or all of the sentence and provide that the defendant perform community service work under pars. (b) and (c). The amount of the fine actually paid, if any, shall be used to determine any applicable assessment or surcharge under sub. (1), except that any applicable driver improvement surcharge under s. 346.655 or any domestic abuse assessment imposed by s. 973.055 shall be imposed regardless of whether part or all of the sentence has been stayed. If the defendant fails to comply with the community service order, the court shall order the defendant brought before the court for imposition of sentence. If the defendant complies with the community service order, he or she has satisfied that portion of the sentence.

SECTION 2208r. 973.055 (1) of the statutes is amended to read:

973.055 (1) On or after May 1, 1980, if a court imposes a fine, the court shall determine whether this subsection is applicable. If the court finds that the criminal conduct involved domestic abuse, as defined in s. 46.95 (1) (a), if the court makes the finding, or that the fine was imposed under s. 813.12 (8), it shall impose a domestic abuse assessment, in addition to the fine and, penalty assessment and jail assessment, in an amount of 10% of the fine imposed. ~~If multiple offenses are involved, the domestic abuse assessment shall be based on the total fine for all offenses which involved domestic abuse. If a fine is suspended, the~~

~~domestic abuse assessment shall be reduced in proportion to the suspension of \$50 for each offense.~~

SECTION 2208x. 973.055 (4) of the statutes is created to read:

973.055 (4) A court may waive part or all of the domestic abuse assessment under this section if it determines that the imposition of the full assessment would have a negative impact on the offender's family.

SECTION 2208ya. 973.07 of the statutes is amended to read:

973.07 Failure to pay fine or costs. If the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, applicable domestic abuse assessment ~~payment~~, applicable driver improvement surcharge ~~payment~~, applicable weapons assessment ~~payment~~, applicable natural resources assessment ~~or and~~ applicable natural resources restitution ~~payment payments~~ are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, applicable domestic abuse assessment ~~payment~~, applicable driver improvement surcharge ~~payment~~, applicable weapons assessment ~~payment~~, applicable natural resources assessment or applicable natural resources restitution ~~payment payments~~ are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 2230m. 976.08 of the statutes is created to read:

976.08 Additional applicability. In this chapter, "prisoner" includes any person subject to an order under s. 48.366 who is confined to a Wisconsin state prison.

SECTION 2231. 977.05 (4) (cm) of the statutes is created to read:

977.05 (4) (cm) Appoint one deputy, the number of division administrators specified in s. 230.08 (2) (e) 8m and all staff attorneys in the unclassified service and appoint all other employees in the classified service.

SECTION 2231p. 977.05 (4) (i) 5 of the statutes is repealed and recreated to read:

977.05 (4) (i) 5. Cases involving children subject to s. 48.18 or to adjudication as a delinquent and persons subject to s. 48.366.

SECTION 2233c. 977.05 (6) of the statutes is created to read:

977.05 (6) RESTRICTION. The state public defender shall not provide legal services or assign counsel for cases involving a person subject to contempt of court proceedings involving the alleged failure of the person to pay a forfeiture to a county or municipality, ~~unless the person is already being represented under this chapter and the person's custodial status could be affected by the contempt of court proceedings.~~

Vetoed
in Part

SECTION 2234. 977.06 of the statutes is repealed.

SECTION 2235. 977.07 (2) (a) of the statutes is amended to read:

977.07 (2) (a) The representative of the state public defender or the authority for indigency determinations specified under 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. Assets also include any money expended by the person to post bond to obtain release regarding the current alleged offense. 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), 757.66 or 973.06 (1) (e), and the possibility that 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 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 2236. 977.07 (4) of the statutes is repealed.

SECTION 2236p. 977.08 (2) (e) of the statutes is repealed and recreated to read:

977.08 (2) (e) Cases involving children subject to s. 48.18 or to adjudication as a delinquent and persons subject to s. 48.366.

~~SECTION 2240g. 977.08 (5) (b) 1 of the statutes is amended to read:~~

~~977.08 (5) (b) 1. Felony cases: 184.5 160.~~

Vetoed
in Part

SECTION 2240r. 977.08 (5) (c) of the statutes is created to read:

977.08 (5) (c) At the trial level, 76% of the felony cases shall be handled within the office.

SECTION 2241m. 977.085 of the statutes is created to read:

977.085 Quarterly report procedure. (1) The board shall provide quarterly reports to the department of administration and the joint committee on finance regarding all of the following:

(a) Private bar case load and expenditure of moneys under s. 20.550 (1) (d) for the current fiscal year.

(b) Projections for the private bar case load and expenditure of moneys under s. 20.550 (1) (d) for the remainder of the current fiscal year and biennium.

(2) If the projections under sub. (1) (b) indicate that moneys are being expended under s. 20.550 (1) (d) at a rate which will deplete the appropriation prior to the end of the current fiscal year, the board shall include in the report a plan to address the problem. The plan shall include proposals for one or more of the following:

(a) Agency actions.

(b) Requests for appropriation changes under s. 13.101.

(c) Legislation.

~~SECTION 2241mm. Laws of 1856, chapter 75, CHAPTER IV, section 3, subdivision 28th, as last amended by chapter 103, laws of 1870 is amended to read:~~

Vetoed
in Part

~~(Laws of 1856, chapter 75) CHAPTER IV, section 3, subdivision 28th. The common council shall have jurisdiction over the entire lakes bordering on the city, and may enact and enforce such ordinances or by-laws for the preservation of fish in the waters thereof lakes bordering on the city or outlets between the same, so as to prohibit, regulate or license the taking or killing of fish in the waters thereof at any time; and may also, by ordinance or resolution, prevent any deterioration of the said waters, or any nuisances being cast therein, by which the health of the inhabitants of the city or the purity of the water shall be impaired, as they shall deem expedient.~~

~~SECTION 2241n. Laws of 1874, chapter 184, CHAPTER XXVIII, section 2 is amended to read:~~

Vetoed
in Part

Vetoed in Part ~~(Laws of 1874, chapter 184) CHAPTER XVIII, Section 2. The mayor shall on the first Monday of January of every second year appoint, subject to confirmation by the common council, a tax commissioner, who shall be at the time of his appointment a resident freeholder in said city of Milwaukee under section 66.146 of the statutes. Such commissioner shall take and subscribe an oath of office and shall enter into a bond in the penal sum of five thousand dollars \$5,000, with at least two 2 sureties to be approved by the mayor, for the faithful performance of his or her official duties. The present tax commissioner shall remain in office until the expiration of the term for which he was appointed, and the first appointment under this section shall be then made.~~

hereby declared to be so established only for the purpose of authorizing said city of Madison to construct and maintain on, in, or over said Lake Monona, but not beyond said established line, parks, playgrounds, bathing beaches, municipal boat houses, piers, wharves, public buildings, highways, streets, pleasure drives and boulevards. Said dock line shall in no wise affect or supersede the dock lines on said Lake Monona already existing and established pursuant to law by the said city of Madison, insofar as riparian owners are concerned, and said dock line so established shall in no wise be construed as being for the benefit of riparian owners. Said city of Madison is hereby granted and given concurrent jurisdiction with the state of Wisconsin of and over said Lake Monona and its lake bed between the low water mark or the dock lines heretofore established by the city of Madison and the dock line established by this chapter and said city may bring any action to restrain, enjoin or abate any nuisance or encroachment within such limits.

Vetoed in Part

Vetoed in Part ~~SECTION 2241ng. Laws of 1927, chapter 485, section 2, as created by chapter 301, laws of 1931, and last amended by chapter 9, laws of 1959 is amended to read.~~

~~(Laws of 1927, chapter 485) Section 2. Said dock line on Lake Monona established by this chapter, is~~

SECTION 2241p. Laws of 1947, chapter 518, section 3 (new paragraph) is created to read:

(Laws of 1947, chapter 518) Section 3. (new paragraph)

From the southerly terminus
of the Daniel Webster Hoan
Memorial Bridge southerly
to the intersection with
East Layton Avenue

Milwaukee 3.0

SECTION 2241s. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by 1985 Wisconsin Act 341, section 3, is amended to read:

(Laws of 1947, chapter 518) Section 3. (approximate mileage)

TOTAL 4,023.40 1,026.40

Vetoed in Part ~~SECTION 2241sm. Laws of 1957, chapter 606 is amended to read.~~

~~(Laws of 1957, chapter 606) The surface of Lake Wingra and the shores at high water mark around the same is included in the limits of the city of Madison and the jurisdiction of said city thereover and thereon as a municipal corporation at common law and as conferred by chapter 62 and other parts of the Wisconsin statutes is recognized.~~

described under SECTION 2 of this act are ceded, granted or conveyed to the county of Racine, the county of Racine shall hold, use and regulate those lands.

SECTION 2242tm. 1983 Wisconsin Act 162, section 1 (2) is created to read:

(1983 Wisconsin Act 162) Section 1 (2)(a) Within a building in the Racine harbor marina, constructed on lands described under SECTION 2 of this act and principally used for administration, the city of Racine may construct and operate or permit the construction and operation of a restaurant designed to enhance public access to marina facilities, to improve the recreational quality of the marina facilities for the general public or to provide services that supplement the recreational use of the harbor facility.

SECTION 2242r. Laws of 1981, chapter 234, section 2 (3) is repealed.

SECTION 2242t. 1983 Wisconsin Act 162, section 1 is renumbered section 1 (1) and amended to read:

(1983 Wisconsin Act 162) Section 1 (1) The state of Wisconsin cedes, grants and conveys to the city of Racine all rights, title and interest to all of the land and any part or parcel of the lands described under SECTION 2 of this act for use as public park facilities, boat basins or marinas, docks, wharves, structures, roads and public facilities.

(3) The city of Racine shall hold, use and regulate the lands described under SECTION 2 of this act, except the city of Racine may cede, grant or convey to the county of Racine any or all of those lands for use as public park facilities, boat basins, docks, wharves, structures, roads and public facilities. If any lands

(b) If the department of natural resources determines that the restaurant which is allowed to be constructed and operated under paragraph (a) is no longer being used to serve a purpose enumerated under paragraph (a), the department of natural resources shall direct the city of Racine or any other person permitted by the city of Racine under paragraph (a) to construct and operate a restaurant to amend its use of the restaurant in order to comply with a purpose enumerated under paragraph (a). In

addition, the department of natural resources shall recommend that a bill be introduced to revoke the authorization for the construction and operation of a restaurant, as provided under paragraph (a), if the restaurant is no longer being used to serve a purpose enumerated under paragraph (a).

SECTION 2242u. 1985 Wisconsin Act 17, section 65 (1) (a) (intro.) is amended to read:

(1985 Wisconsin Act 17) Section 65 (1) (a) (intro.) The department of industry, labor and human relations shall study and prepare proposals for implementation of a wage reporting system, which shall provide for employers to report at least quarterly all payrolls subject to the unemployment compensation law. The system shall be in full effect no later than September

30, 1988, and information shall be available after reimbursement of costs to state and federal agencies for income and eligibility verification for food stamps, aid to families with dependent children, medicaid and unemployment compensation and to counties for income and eligibility verification for general relief. The wage data generated by the system shall be used in determining the amount of unemployment compensation benefits payable to each claimant. The system shall be developed for statewide administration by the department of industry, labor and human relations, giving due attention to the needs of other state agencies. The system shall be developed in conjunction with changes in unemployment compensation benefits which shall include the following elements:

SECTION 2242uv. 1985 Wisconsin Act 29, section 3007 (1) (a), as last amended by 1985 Wisconsin Act 77, is amended to read:

(1985 Wisconsin Act 29) Section 3007 (1)

(a) Department of administration

Projects financed by general fund supported borrowing:

State capitol restoration and improvements \$ 7,000,000

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 7,000,000

Existing general fund supported borrowing -0-

Revenue obligation borrowing 12,000,000

Total - All sources of funds \$ 19,000,000

Vetoed
in Part

Vetoed
in Part

SECTION 2242uw. 1985 Wisconsin Act 29, section 3007 (14) is repealed.

SECTION 2243. 1985 Wisconsin Act 29, section 3014 (4) is repealed.

SECTION 2245m. 1985 Wisconsin Act 29, section 3023 (12) (b), as affected by 1985 Wisconsin Act 120, is repealed.

SECTION 2247. 1985 Wisconsin Act 29, section 3023 (12) (c) (intro.), 1, 2 and 4 to 7 are renumbered 49.45 (6u) (intro.), (a), (b) and (c) to (f) of the statutes, and 49.45 (6u) (intro.), (b) (intro.) and 2 and (c) to (f), as renumbered, are amended to read:

49.45 (6u) (title) FACILITY OPERATING DEFICIT REDUCTION. (intro.) ~~From Except as provided in par. (g), from the appropriation under section s. 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 sub. (6m) (a) 2 of the statutes, that is established under section s. 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 \$3,715,000 in fiscal year 1985-86 1987-88 and \$4,600,000 \$3,715,000 in fiscal~~

year ~~1986-87~~ 1988-89 to these facilities and shall perform all of the following:

(b) (intro.) Based on the amount estimated available under ~~subdivision 4 par. (a),~~ develop a proposed method to distribute this allocation to the individual facilities that have incurred operating deficits that shall include:

2. Agreement by the county in which is located the facility established under section s. 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 subsection.~~

(c) ~~Contingent upon approval by the joint committee on finance, distribute~~ Distribute the allocation under the distribution method that is ~~approved~~ developed.

(d) If the federal department of health and human services approves for state expenditure in fiscal year ~~1985-86 1987-88~~ amounts under section s. 20.435 (1) (o) ~~of the statutes~~ that result in a lesser allocation amount than that allocated under this ~~paragraph subsection,~~ allocate not more than the lesser amount so

approved by the federal department of health and human services.

(e) If the federal department of health and human services approves for state expenditure in fiscal year ~~1986-87~~ 1988-89 amounts under ~~section s. 20.435 (1) (o) of the statutes~~ that result in a lesser allocation amount than that allocated under this ~~paragraph subsection~~, submit a revision of the ~~proposed method developed under subdivision 2 par. (b)~~ for approval by the joint committee on finance in state fiscal year ~~1986-87~~ 1988-89, under ~~section s. 13.10 of the statutes.~~

(f) If the federal department of health and human services disallows use of the allocation of matching federal medical assistance funds distributed under ~~subdivision 4 par. (c)~~, the requirements under ~~section 49.45 sub. (6m) (br) of the statutes, as created by this act,~~ shall apply.

SECTION 2248. 1985 Wisconsin Act 29, section 3023 (12) (c) 3 is repealed.

SECTION 2249. 1985 Wisconsin Act 29, section 3023 (23s) is repealed.

SECTION 2250g. 1985 Wisconsin Act 29, section 3051 (3) (a) is repealed.

SECTION 2250r. 1985 Wisconsin Act 29, section 3051 (6r) (b) and (c) are repealed.

SECTION 2261m. 1985 Wisconsin Act 29, section 3203 (51) (am) is repealed.

SECTION 2262. 1985 Wisconsin Act 29, section 3204 (23) (f) is repealed.

SECTION 2263. 1985 Wisconsin Act 29, section 3204 (43) (d) is amended to read:

(1985 Wisconsin Act 29) Section 3204 (43) (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.

SECTION 2264. 1985 Wisconsin Act 29, section 3204 (43) (dp) is created to read:

(1985 Wisconsin Act 29) Section 3204 (43) (dp) *Education for employment standards.* The treatment of section 121.02 (1) (m) of the statutes takes effect on September 1, 1991.

SECTION 2265m. 1985 Wisconsin Act 29, section 3204 (56) (d) 1 is amended to read:

(1985 Wisconsin Act 29) Section 3204 (56) (d) 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~~ June 30, 1987.

SECTION 3001. **Nonstatutory provisions; administration.**

(7a) TRANSFER OF AIRPLANE FLEET SERVICE FUNCTIONS.

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the depart-

ments of natural resources and transportation relating to aircraft maintenance functions and the provision of intercity air transportation for employes of the departments and other state agencies, as determined by the department of administration, shall become the assets and liabilities of the department of administration. The department of administration shall develop a plan for the orderly transfer thereof.

(b) *Supplies and equipment.* On the effective date of this paragraph, all materials, supplies, furniture and capital equipment of the departments of natural resources and transportation relating to aircraft maintenance functions and the provision of intercity air transportation for employes of the departments and other state agencies, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop a plan for the orderly transfer thereof. The department of administration shall reimburse the departments of natural resources and transportation for the value of all assets transferred under this paragraph, as determined by the secretary of administration, from the appropriation under section 20.505 (1) (kb) of the statutes, as affected by this act. The department of administration shall deposit the reimbursement to the department of transportation in the transportation fund, and shall deposit the reimbursement to the department of natural resources in the conservation fund.

(c) *Airfield lease rights.* On the effective date of this paragraph, all airfield lease rights held by the department of natural resources are transferred to the department of administration.

(d) *Positions and employes.*

1. On the effective date of this paragraph, the authorized FTE positions for the department of transportation are decreased by 1.0 SEG aircraft pilot position. On the effective date of this paragraph, the authorized FTE positions for the department of natural resources are decreased by 1.0 SEG aviation manager position, 1.0 GPR aircraft pilot supervisor position, 1.0 SEG air mechanic supervisor position, 2.72 SEG air mechanic positions, 1.28 GPR air mechanic positions and 1.0 SEG program assistant position. On the effective date of this paragraph, the incumbents in all positions identified in this subdivision are transferred to the department of administration.

2. On the effective date of this paragraph, the authorized FTE positions for the department of administration are increased by 14.0 PRO positions, including all position types enumerated in subdivision 1, and 2.0 PRO aircraft pilot positions, 2.0 PRO air mechanic positions and 1.0 PRO laborer position. The secretary of administration shall appoint the incumbents transferred under subdivision 1 to the positions authorized in this subdivision which correspond to the positions held by the incumbents on the day prior to the effective date of this paragraph.

3. In addition to the positions and incumbents transferred under this paragraph, any additional positions and incumbents in positions having responsibility for aircraft maintenance functions or the provision of intercity air transportation for employes of state agencies, as determined by the secretary of administration, may be transferred by the secretary from any state agency to the department of administration on the effective date of this paragraph.

4. Employes transferred to the department of administration under this paragraph have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of administration which they enjoyed in the departments by which they were employed immediately prior to the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class may be required to serve a probationary period.

(e) *Records.* On the effective date of this paragraph, all records of the departments of natural resources and transportation relating to aircraft maintenance functions and the provision of intercity air transportation for employes of state agencies, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop a plan for the orderly transfer thereof.

(f) *Contracts.* All contracts entered into by the departments of natural resources and transportation relating to aircraft maintenance functions or the provision of intercity air transportation for employes of state agencies, which are in effect on the effective date of this paragraph, remain in effect and are transferred to the department of administration. Unless modified or rescinded, the contractual obligations shall be carried out by the department of administration.

(g) *Pending matters.* Any matter pending with the department of natural resources or department of transportation on the effective date of this paragraph relating to aircraft maintenance functions or the provision of intercity air transportation for employes of state agencies is transferred to the department of administration. All materials submitted to or actions taken by either department with respect to the pending matter are deemed to have been submitted to or taken by the department of administration.

(h) *Collections.* On and after the effective date of this paragraph, the department of administration may collect any amount payable prior to the effective date of this paragraph to the department of natural resources or the department of transportation relating to aircraft maintenance functions or the provision of intercity air transportation for employes of state agencies and the department of administration shall credit the amounts collected to the applicable appropriation or fund as provided by law.

~~(7g) REINSURANCE STUDY. The department of administration shall study alternatives to the purchase of reinsurance coverage for the state's self-funded risk management programs under section 16.865 of the statutes. The study shall consider the feasibility and the implications of and the steps necessary to achieve complete self-funding of all current risk management programs, including the establishment of any loss reserve funds. The department shall report its findings to the governor and the joint committee on finance no later than January 1, 1988.~~ **Vetoed in Part**

(7j) SCHOOL AID CREDIT CORRECTIONS IN 1987. If the department of administration or the department of revenue determines by May 1, 1988, that there was an overpayment or underpayment made in the 1987 distribution by the department of administration to school districts under section 79.10 (3), 1985 stats., the overpayment or underpayment shall be corrected as provided in this subsection. Any corrections to the elements of any distribution under section 79.10 (3), 1985 stats., shall be made in the June 1988 distribution under section 121.15 (1) (a) of the statutes, as affected by this act. Corrections shall be without interest. If the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under section 20.255 (2) (ac) of the statutes. If the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

(7k) STATE-OWNED RENTAL HOUSING. The department of administration shall report to the joint committee on finance at the committee's first quarterly meeting in 1988 concerning the implementation of section 16.40 (19) of the statutes, as created by this act.

SECTION 3003. Nonstatutory provisions; aging and long-term care board.

(1) PERSONNEL IN CLASSIFIED SERVICE. Notwithstanding sections 230.14, 230.145, 230.16, 230.25 and 230.28 of the statutes and section 230.15 of the statutes, as affected by this act, on the effective date of this subsection all individuals occupying executive director or staff positions in the unclassified service for the board on aging and long-term care immediately before the effective date of this subsection shall be appointed to positions in the classified service for the board on aging and long-term care under which they shall have substantially similar responsibilities. If the length of continuous service for any such individual equals or exceeds the length of the probationary period for the position to which he or she is appointed in the classified service, the individual shall not be required to serve a probationary period in the position to which he or she is appointed.

SECTION 3004. Nonstatutory provisions; agriculture, trade and consumer protection.

(2m) EVALUATION PLAN DEADLINE. The department of agriculture, trade and consumer protection and the

2.	<i>Agency totals:</i>		
	General fund supported borrowing		2,257,000
	Total - All sources of funds		\$ 2,257,000
(d)	DEPARTMENT OF HEALTH AND SOCIAL SERVICES		
1.	<i>Projects financed by general fund supported borrowing:</i>		
	Central Wisconsin center Murphy hall toilet remodeling	\$	853,000
	Central Wisconsin center Title 19 remodeling		991,000
	Fox Lake correctional institution special management unit		1,981,000
	Women's correctional centers		485,000
	(Total project all funding sources \$835,000)		
	Minor projects		1,016,000
2.	<i>Projects financed by existing general fund supported borrowing:</i>		
	Southern Wisconsin center Wallace infirmary air conditioning		250,000
	Green Bay correctional institution main building remodeling		4,219,000
	Fox Lake correctional institution perimeter security upgrade		461,000
	Women's correctional centers		350,000
	(Total project all funding sources \$835,000)		
3.	<i>Agency totals:</i>		
	General fund supported borrowing		5,326,000
	Existing general fund supported borrowing		5,280,000
	Total - All sources of funds		\$ 10,606,000
(e)	STATE HISTORICAL SOCIETY		
1.	<i>Projects financed by general fund supported borrowing:</i>		
	Minor projects	\$	429,000
2.	<i>Projects financed by program revenue supported borrowing:</i>		
	Circus World exhibit building and visitor center		770,000
	(Total project all funding sources \$1,000,000)		
3.	<i>Projects financed by gifts and grants:</i>		
	Circus World exhibit building and visitor center		230,000
	(Total project all funding sources \$1,000,000)		
4.	<i>Agency totals:</i>		
	General fund supported borrowing		429,000
	Program revenue supported borrowing		770,000
	Gifts and grants		230,000
	Total - All sources of funds		\$ 1,429,000
(f)	DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS		
1.	<i>Projects financed by federal funds:</i>		
	Minor projects	\$	854,200
2.	<i>Agency totals:</i>		
	Federal funds		854,200
	Total - All sources of funds		\$ 854,200
(g)	DEPARTMENT OF MILITARY AFFAIRS		
1.	<i>Projects financed by general fund supported borrowing:</i>		
	Armory construction (3 locations)	\$	1,458,000
	Minor projects		556,000
2.	<i>Projects financed by federal funds:</i>		
	Armory construction (3 locations)		3,301,600
	Minor projects		2,252,000
3.	<i>Agency totals:</i>		
	General fund supported borrowing:		2,014,000
	Federal funds		5,553,600
	Total - All sources of funds		\$ 7,567,600
(h)	DEPARTMENT OF NATURAL RESOURCES		

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1.	<i>Projects financed by general fund supported borrowing:</i>	
	Minor projects	\$ 98,000
2.	<i>Projects financed by general fund supported borrowing--recreation development:</i>	
	Devil's Lake state park south shore redevelopment	560,000
	Bong recreation area camping development	568,000
	Kinnickinnic state park day use facilities	392,000
	Pike Lake state park improvements	315,000
	Glacial Drumlin and Military Ridge trail development - Phase 2	327,500
2m.	<i>Projects financed by building trust funds:</i>	
	Parks maintenance program	500,000
	(Total project all funding sources \$48,148,000)	
3.	<i>Projects financed by segregated fund revenue:</i>	
	Minor projects	2,629,100
4.	<i>Projects financed by federal funds:</i>	
	Minor projects	700,400
5.	<i>Agency totals:</i>	
	General fund supported borrowing:	98,000
	General fund supported borrowing - recreation development	2,162,500
	Building trust funds	500,000
	Segregated funds	2,629,100
	Federal funds	<u>700,400</u>
	Total - All sources of funds	\$ 6,090,000
(i)	DEPARTMENT OF PUBLIC INSTRUCTION	
1.	<i>Projects financed by general fund supported borrowing:</i>	
	School for the deaf Hannon hall physical education addition and remodeling	\$ 1,178,000
	Minor projects	145,000
2.	<i>Agency totals:</i>	
	General fund supported borrowing:	<u>1,323,000</u>
	Total - All sources of funds	\$ 1,323,000
(j)	DEPARTMENT OF TRANSPORTATION	
1.	<i>Projects financed by segregated fund supported revenue borrowing:</i>	
	Southeast Milwaukee area licensing and registration facility	\$ 1,200,000
	Fond du Lac state patrol addition and remodeling	502,800
	West Bend licensing and registration facility	700,000
	Madison Truax field building complex improvements	2,204,000
	Green Bay licensing and registration facility	801,000
	La Crosse licensing and registration facility	855,700
2.	<i>Projects financed by segregated fund revenue:</i>	
	Minor projects	1,071,300
3.	<i>Agency totals:</i>	
	Segregated fund supported revenue borrowing	6,263,500
	Segregated fund revenue	<u>1,071,300</u>
	Total - All sources of funds	\$ 7,334,800
(k)	DEPARTMENT OF VETERANS AFFAIRS	
1.	<i>Projects financed by general fund supported borrowing:</i>	
	Veterans home - Air cooling of Olson and Stordock halls	\$ 388,000
	Minor projects	123,000
2.	<i>Agency totals:</i>	
	General fund supported borrowing	<u>511,000</u>
	Total - All sources of funds	\$ 511,000
(m)	UNIVERSITY OF WISCONSIN SYSTEM	

1. <i>Projects financed by general fund supported borrowing:</i>	
Madison - Memorial library addition	\$ 7,090,000
- Northeast campus electrical substation	1,746,000
- Chilled water system expansion	5,141,000
- Chilled water control valves	407,000
- Russell laboratories addition	2,439,000
- Babcock hall addition and remodeling	3,249,000
(Total project all funding sources \$3,999,000)	
- School of business facility	17,130,000
(Total project all funding sources \$26,300,000)	
- Engineering building addition	14,500,000
(Total project all funding sources \$16,500,000)	
Milwaukee - Lapham hall science center addition	19,885,000
Oshkosh - Swart hall remodeling	3,395,000
Platteville - Physical education addition and remodeling	5,092,000
(Total project all funding sources \$6,092,000)	
- Dairy center redevelopment - Phase 3	363,000
River Falls - Karges hall remodeling	776,000
Stevens Point - Physical education addition and remodeling	5,820,000
(Total project all funding sources \$6,820,000)	
Stout - Center for service industries remodeling	1,817,000
Whitewater - Upham hall air conditioning	582,000
- Andersen library remodeling	1,348,000
Center system - movable and special equipment	97,000
Great Lakes research facility space modifications	485,000
Great Lakes research facility dock and seawall repair	1,532,000
Minor projects	5,820,000
2. <i>Projects financed by program revenue supported borrowing:</i>	
Madison - Clinical science center radiology and medical records addition	1,856,000
(Total project all funding sources \$6,580,000)	
- Clinical science center surgical science research and management services addition	2,842,000
(Total project all funding sources \$7,441,000)	
- Clinical science center ambulatory surgery remodeling	3,855,000
- Clinical science center parking ramp	6,900,000
- Research park roads and utilities	2,350,000
- School of business facility	1,170,000
(Total project all funding sources \$26,300,000)	
Milwaukee - Parking structure	2,515,500
Oshkosh - Reeve memorial union food service remodeling	1,800,000
Platteville - Physical education addition and remodeling	1,000,000
(Total project all funding sources \$6,092,000)	
River Falls - Hagestad student center addition and remodeling	2,423,000
(Total project all funding sources \$2,810,000)	
Stevens Point - Physical education addition and remodeling	1,000,000
(Total project all funding sources \$6,820,000)	
3. <i>Projects financed by existing program revenue borrowing:</i>	
Madison - Clinical science center radiology and medical records addition	3,250,000
(Total project all funding sources \$6,580,000)	

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4.	<i>Projects financed by program revenue:</i>	
	Madison - Clinical science center radiology and medical records addition	1,474,000
	(Total project all funding sources \$6,580,000)	
	- Clinical science center surgical science research and management services addition	600,000
	(Total project all funding sources \$7,441,000)	
	- West Madison agricultural research station	2,343,500
	Milwaukee - Baker parking lot resurfacing	300,000
	- Student union snack bar patio enclosure	646,000
	River Falls - Hagestad student center addition and remodeling	387,000
	(Total project all funding sources \$2,810,000)	
	Stout - Price commons total facility project	425,000
	Minor projects	3,376,400
5.	<i>Projects financed by gifts, grants and other receipts:</i>	
	La Crosse - Physical therapy education facility	1,612,700
	- Alumni center	500,000
	Madison - Babcock hall addition and remodeling	750,000
	(Total project all funding sources \$3,999,000)	
	- Clinical science center surgical science research and management services addition	3,999,000
	(Total project all funding sources \$7,441,000)	
	- School of business facility	8,000,000
	(Total project all funding sources \$26,300,000)	
	- Engineering building addition	2,000,000
	(Total project all funding sources \$16,500,000)	
6.	<i>Projects financed by federal funds:</i>	
	Milwaukee - Great Lakes research facility laboratory remodeling	500,000
7.	<i>Agency totals:</i>	
	General fund supported borrowing	98,714,000
	Program revenue supported borrowing	27,711,500
	Existing program revenue supported borrowing	3,250,000
	Program revenue	9,551,900
	Gifts, grants and other receipts	16,861,700
	Federal funds	500,000
	Total - All sources of funds	\$156,589,100
(n)	FUNDING AVAILABLE TO ALL AGENCIES	
1.	<i>Projects financed by general fund supported borrowing:</i>	
	Maintenance program	\$ 46,948,000
	(Total program all funding sources \$48,148,000)	
	Health, safety and environment program	12,521,000
	(Total program all funding sources \$16,839,000)	
	Energy conservation program	9,700,000
	Removal of architectural barriers	970,000
	Advance land acquisition	970,000
2.	<i>Projects financed by existing general fund supported borrowing:</i>	
	Telephone system acquisition	530,000
3.	<i>Projects financed by building trust funds:</i>	
	Maintenance program	700,000
	(Total program all funding sources \$48,148,000)	
	Health, safety and environment program	3,800,000
	(Total program all funding sources \$16,839,000; includes asbestos removal, \$600,000; hazardous materials removal, \$1,350,000; and health and safety maintenance \$1,850,000)	

4. <i>Projects financed by program revenue:</i>	
Health, safety and environment program	318,000
(Total project all funding sources \$16,839,000)	
5. <i>Projects financed by segregated fund revenue:</i>	
Health, safety and environment program	200,000
(Total project all funding sources \$16,839,000)	
6. <i>All agency totals:</i>	
General fund supported borrowing	71,109,000
Existing general fund supported borrowing	530,000
Building trust funds	4,500,000
Program revenue	318,000
Segregated fund revenue	<u>200,000</u>
Total - All sources of funds	\$ 76,657,000
(o) SUMMARY	
Total general fund supported borrowing	\$182,105,000
Total general fund supported borrowing - recreation development	2,162,500
Total existing general fund supported borrowing	5,810,000
Total program revenue borrowing	28,481,500
Total existing program revenue borrowing	3,250,000
Total segregated fund supported revenue borrowing	6,263,500
Total building trust funds	5,000,000
Total program revenue	12,908,900
Total segregated fund revenue	4,392,400
Total gifts, grants and other receipts	17,091,700
Total federal funds	<u>7,608,200</u>
Total - All sources of funds	\$275,073,700

(2) PROGRAMS PREVIOUSLY AUTHORIZED. 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 fiscal years 1987-88 and 1988-89.

(3) MINOR PROJECTS. The building commission may establish and modify project priorities for the minor projects funded under subsection (1) and may, within the total funding provided for minor projects under subsection (1), revise the amount of funds allocated among agencies.

Vetoed in Part ~~(3) SPACE NEEDS STUDY. The building commission may provide for a study of the space needs of the supreme court, court of appeals, law library, office of director of state courts and related administrative personnel.~~

(4) ALLOCATION AUTHORITY. Notwithstanding section 20.924 (1) of the statutes, the building commission may allocate the financing authority under subsection (1) (n) for the purposes of maintenance, health, safety and environment, energy conservation, removal of architectural barriers, total facilities performance projects, advance land acquisition and telecommunications equipment among agencies without enumeration of projects costing in excess of \$250,000 in the authorized state building program.

(5) LOANS. The building commission may make loans to agencies for projects which are in programs not funded by general purpose revenues and which are authorized under subsection (1) (n).

(6) LIMITED APPROVAL OF UNENUMERATED PROJECTS. (a) Notwithstanding section 20.924 (1) of the statutes, the building commission may, during fiscal years 1987-88 and 1988-89, approve the construction of a project costing in excess of \$250,000 but not enumerated in subsection (1) if all of the following conditions are met:

1. The project is funded from federal grants or private gifts or grants.
2. The commission determines that the construction is in the best interests of the state.
3. The joint committee on finance approves the project.

(b) This subsection does not apply to the projects specified in subsections (4), (8), (10) and (15).

(7) USE OF CASH SOURCES. Notwithstanding section 20.866 (2) (s) to (zm) of the statutes, as affected by this act, and section 20.866 (2) (zz) of the statutes or the state building program project enumerations in subsection (1), the building commission may use available cash sources of funds in lieu of borrowing under section 20.866 (2) (s) to (zm) of the statutes, as affected by this act, and section 20.866 (2) (zz) of the statutes in fiscal years 1987-88 and 1988-89.

(8) WILLOW RIVER; NATURAL RESOURCES REALLOCATIONS. Notwithstanding section 20.924 (1) of the statutes, the department of natural resources may reallocate funds authorized for projects under subsection (1) (h) to finance a project costing \$250,000 or less, or may reallocate up to \$509,000 of those funds to finance a campground development at Willow river

state park if the department of natural resources determines that the project to be funded by the reallocation has a higher priority than the projects enumerated under subsection (1) (h) and if the building commission and the joint committee on finance approve that reallocation.

Vetoed
in Part

(9) UNIVERSITY RESEARCH PARK. The board of regents of the university of Wisconsin system is authorized to complete the infrastructure requirements of the Rieder farm phase of the university research park at Madison including, but not limited to, streets, sidewalks, utilities, lighting, landscaping, required assessments and related charges and construction of the development's water management system in the amount authorized in subsection (1) (m). In lieu of program revenue supported borrowing, infrastructure improvements authorized in subsection (1) (m) may be derived from any source or combination of sources of funds, except that no funds for that purpose may be derived from general purpose revenues.

(10) UNIVERSITY FACILITIES FUNDED FROM PROGRAM REVENUES. Notwithstanding section 20.924 (1) of the statutes, any project costing in excess of \$250,000 for maintenance, health, safety and environment, energy conservation or removal of architectural barriers for university of Wisconsin facilities funded from program revenues may be approved by the building commission without enumerating that project under subsection (1) (m).

(12) UNIVERSITY PHYSICAL EDUCATION FACILITIES. The board of regents of the university of Wisconsin system shall determine the method of generating and allocating any program revenues enumerated in subsection (1) (m) for the construction of physical education facilities at the university of Wisconsin-Platteville and university of Wisconsin-Stevens Point. Based on the board's determination of that method, the building commission may adjust the allocations of general fund supported borrowing enumerated in subsection (1) (m) within the total authorized level for those physical education facilities.

(13m) UNIVERSITY SCHOOL OF BUSINESS. The building commission shall approve the expenditure of advance planning funds for a new facility for the university of Wisconsin-Madison school of business from gift funds for that facility when \$4,000,000 of those gift funds have been received.

(14m) UNIVERSITY ENGINEERING BUILDING. The building commission shall approve the expenditure of advance planning funds for an addition to the engineering building at the university of Wisconsin-Madison from gift funds for that addition when \$2,000,000 of those gift funds have been received.

Vetoed
in Part

~~(14f) UNIVERSITY OF WISCONSIN-PLATTEVILLE. Notwithstanding the amount of program revenue supported borrowing enumerated under subsection (1) (m) 2 for the construction of physical education facilities at the university of Wisconsin-Platteville, if the total amount of the bids for that construction is less~~

~~than \$6,092,000, the amount of that enumerated program revenue supported borrowing shall be reduced by the amount of the difference between the total amount of the bids and \$6,092,000, up to the amount of that enumerated program revenue supported borrowing.~~

Vetoed
in Part

~~(14fm) UNIVERSITY OF WISCONSIN-STEVENS POINT. Notwithstanding the amount of program revenue supported borrowing enumerated under subsection (1) (m) 2 for the construction of physical education facilities at the university of Wisconsin-Stevens Point, if the total amount of the bids for that construction is less than \$6,820,000, the amount of that enumerated program revenue supported borrowing shall be reduced by the amount of the difference between the total amount of the bids and \$6,820,000, up to the amount of that enumerated program revenue supported borrowing.~~

(14rp) UNIVERSITY OF WISCONSIN-RIVER FALLS. Notwithstanding section 20.924 (1) of the statutes, the board of regents of the university of Wisconsin system may reallocate up to \$346,000 of the funds authorized under subsection (1) (m) to finance a greenhouse development project at the University of Wisconsin-River Falls if the funds are not needed for projects enumerated under subsection (1) (m) and if the building commission approves that reallocation.

(15) WOMEN'S MINIMUM SECURITY CORRECTIONAL CENTERS. Notwithstanding section 20.924 (1) of the statutes, the department of health and social services is authorized to establish one or more women's minimum security correctional centers by purchase, lease or construction of one or more facilities having a total of approximately 60 beds for work and study release into the community, and internal programming on drug and alcohol abuse, personal counseling and adult basic education if the joint committee on finance approves that purchase, lease or construction. The department shall give consideration to both state-owned and private property in making a site selection for any of those centers.

Vetoed
in Part

(15m) WORKS OF ART FUNDING REALLOCATION. Notwithstanding sections 13.48 (10) and 44.57 (2) of the statutes, the building commission shall reallocate, from funding for building projects determined by the commission in the authorized state building program supported by borrowing, \$210,000 of the moneys designated for the purchase of works of art in state buildings under section 44.57 (2) of the statutes during the 1987-89 fiscal biennium for the purpose of restoration of works of art, as defined in section 16.84 (10) of the statutes, in the state capitol building.

Vetoed
in Part

Vetoed
in Part

~~(16m) UNIVERSITY ECONOMIC AND BUSINESS DEVELOPMENT PROJECTS. As a part of the capital planning process for the university of Wisconsin system, the building commission shall consider projects that address facilities needs at the university of Wisconsin-Milwaukee in programs which contribute to the state's economic and business development, including architecture and urban planning, business and fine~~

Vetoed
in Part

Vetoed in Part arts. The building commission may approve expenditure of advance planning funds for projects meeting the criteria specified in this subsection prior to enumeration of the projects in the authorized state building program.

SECTION 3015. Nonstatutory provisions; criminal justice.

(1m) ELIMINATION OF COUNCIL ON CRIMINAL JUSTICE.

Vetoed in Part (a) On the effective date of this paragraph, all records, materials, supplies and equipment of the council on criminal justice are transferred to the department of justice or the office of justice assistance in the department of administration, as determined jointly by the attorney general and the secretary of administration.

Vetoed in Part (b) On the effective date of this paragraph, all contracts entered into and grants authorized by the council on criminal justice, which are in effect on the effective date of this paragraph, remain in effect and are transferred to the department of justice or the office of justice assistance in the department of administration, as determined jointly by the attorney general and the secretary of administration. Unless modified or rescinded, obligations of contracts or grants shall be carried out by the department of justice or the office of justice assistance in the department of administration, whichever is applicable.

Vetoed in Part (c) On the effective date of this paragraph, all assets and liabilities of the council on criminal justice shall become the assets and liabilities of the department of justice or the office of justice assistance in the department of administration, as determined jointly by the attorney general and the secretary of administration.

SECTION 3016. Nonstatutory provisions; development.

Vetoed in Part (2m) GERMAN TRADE OFFICE LIMITATION ON EXPENDITURES. For fiscal year 1988-89, \$176,100 of the amount in the appropriation under section 20.143 (1) (a) of the statutes, as affected by the acts of 1987, may not be expended for a supplement to the German trade office unless approved by the joint committee on finance at its 2nd quarterly meeting under section 13.10 of the statutes in 1988.

(3g) FILM PROMOTION. The authorized FTE positions for the department of development are increased by 2.0 GPR positions on the effective date of this subsection, to be funded from the appropriation under section 20.143 (2) (c) of the statutes, as created by this act, for the purpose of staffing for film promotion under section 560.26 of the statutes, as created by this act.

(4g) GRANTS TO REGIONAL PLANNING COMMISSIONS. The department of development shall expend \$100,000 in fiscal year 1987-88 to provide grants to regional planning commissions organized under section 66.945 of the statutes from the appropriation

under section 20.143 (1) (dm) of the statutes, if all of the following apply:

(a) The chairman of the regional planning commission, or the chairman's designee, certifies to the department of development that the regional planning commission will use the grant as matching funds to obtain an additional grant of at least \$300,000 from the federal economic development administration.

(b) The regional planning commission has received the additional grant described in paragraph (a), or the administrator of the federal economic development administration, or the administrator's designee, certifies to the department of development that the regional planning commission will receive the additional grant described in paragraph (a), upon receipt of a grant from the department of development under this subsection.

Vetoed in Part (4m) REGIONAL TOURISM DEVELOPMENT CORPORATIONS. From the appropriation under section 20.143 (2) (b) of the statutes, the department of development shall provide \$20,000 in fiscal year 1987-88 and \$20,000 in fiscal year 1988-89 as grants to each regional tourism development corporation, described in section 560.27 of the statutes, for operating costs, except for compensation of any officer or employee of the regional tourism development corporation.

(5j) WISCONSIN DEVELOPMENT FUND; MAJOR GRANTS AND LOANS.

Vetoed in Part (a) Of the appropriation under section 20.143 (1) (d) of the statutes, the department of development shall expend \$14,000,000 in fiscal years 1987-88 and 1988-89 as follows:

1. a. An amount not to exceed \$5,000,000 in grants or loans under subchapter IV of chapter 560 of the statutes for Chrysler corporation.

b. If Chrysler corporation receives any federal funds for grants or loans associated with federal job training programs in connection with a project funded under subdivision 1. a, the total amount in grants or loans to Chrysler corporation under subdivision 1. a shall be decreased by the amount of the federal grants or loans and the amount of the decrease shall lapse to the general fund.

2. a. An amount not to exceed \$9,000,000 in grants or loans under subchapter IV of chapter 560 of the statutes for General Motors corporation.

b. If General Motors corporation receives any federal funds for grants or loans associated with federal job training programs in connection with a project funded under subdivision 2. a, the total amount in grants or loans to General Motors corporation under subdivision 2. a shall be decreased by the amount of the federal grants or loans and the amount of the decrease shall lapse to the general fund.

(b) Notwithstanding sections 20.001 (3) (b) and 20.002 (1) of the statutes, the department of development may expend the funds appropriated for fiscal

year 1988-89 under section 20.143 (1) (d) of the statutes during fiscal year 1987-88.

Vetoed
in Part

~~(c) If the funds reserved under paragraph (a) are not expended as specified in paragraph (a), the funds shall lapse to the general fund.~~

(5m) GRANTS AND LOANS TO AGRIBUSINESSES.

(a) In this subsection, "agribusiness" means a business, as defined in section 560.60 (2) of the statutes, as created by this act, which primarily engages in any combination of the following:

1. Operation of farm premises.
2. Distribution of farm equipment or supplies.
3. Processing, storage or distribution of farm commodities.

(b) From the appropriation under section 20.143 (1) (d) of the statutes, as created by this act, the department of development shall expend \$300,000 in fiscal year 1987-88 for grants or loans, or both, to agribusinesses if all of the following apply:

Vetoed
in Part

Vetoed
in Part

~~1. The agribusiness is eligible for a grant or loan under subchapter IV of chapter 560 of the statutes.~~

Vetoed
in Part

~~2. The governing body of the agribusiness certifies to the department of development all of the following:~~

~~a. The minimum number of jobs that will be created by the project funded by the grant or loan.~~

~~b. The minimum number of years that the jobs will remain in the community where the project is located.~~

~~c. That the agribusiness will repay immediately any grant, with reasonable interest determined by the department of development, or the outstanding balance of any loan received under this subsection, if the project fails to generate the number of jobs certified under subdivision 2. a for the duration certified under subdivision 2. b.~~

Vetoed
in Part

~~(7j) WISCONSIN DEVELOPMENT FUND, ONE TIME FUNDING. Of the appropriation under section 20.143 (1) (d) of the statutes for fiscal year 1988-89, \$7,450,000 is one-time funding for major grants and loans for economic development projects under the Wisconsin development fund.~~

SECTION 3017. Nonstatutory provisions; educational communications board. (1) PERSONNEL IN CLASSIFIED SERVICE. Notwithstanding sections 230.14, 230.145, 230.16, 230.25 and 230.28 of the statutes and section 230.15 of the statutes, as affected by this act, on the effective date of this subsection 6 individuals occupying professional staff positions in the unclassified service for the educational communications board immediately before the effective date of this subsection shall be appointed to positions in the classified service for the educational communications board under which they shall have substantially similar responsibilities. If the length of continuous service for any such individual equals or exceeds the length of the probationary period for the position to which he or she is appointed in the classified service, the individual shall not be required to serve a probationary period in the position to which he or she is appointed.

~~(2g) BOARD MEMBERSHIP. Notwithstanding section 15.07 (1) (c) of the statutes, and section 15.57 (2) of the statutes as affected by this act, the member of the educational communications board who is appointed by the board of regents of the university of Wisconsin system may hold office only until June 30, 1989, and until his or her successor is appointed and qualified. Effective on June 30, 1989, the governor may appoint an additional member to replace this member for a term expiring on May 1, 1992. Successors to this member shall be appointed for the term prescribed in section 15.57 (2) of the statutes.~~

Vetoed
in Part

(2h) WORLD EDUCATIONAL SATELLITE STUDY. The educational communications board shall conduct a study of worldwide satellite educational programming and submit the results of the study to the governor and the legislature by December 1, 1988.

~~(3m) PROGRAMMING SERVICES FOR INDEPENDENT STATIONS. From the appropriation under section 20.225 (1) (f) of the statutes, the educational communications board shall allocate \$20,000 in fiscal year 1987-88 and \$20,000 in fiscal year 1988-89 to purchase programming services from independent public radio stations to improve the quality of service in local areas and to permit access by the educational communications board to the production capacity of independent public radio stations.~~

Vetoed
in Part

(4r) PURCHASE OF A PUBLIC TELEVISION TRANSLATOR STATION. From the appropriation under section 20.225 (1) (a) of the statutes, \$125,000 shall be expended in fiscal year 1987-88 to fund the purchase of a public television translator station in an area not currently receiving public television services. None of those moneys may be expended unless the educational communications board receives \$75,000 of matching federal funds for the purchase of the public television translator station.

~~(5) INITIAL TERM. Notwithstanding section 15.57 (7) of the statutes, as created by this act, the member of the educational communications board initially appointed under that subsection shall serve for a term expiring on May 1, 1991.~~

Vetoed
in Part

SECTION 3021. Nonstatutory provisions; employment relations department.

(1) EDUCATIONAL COMMUNICATIONS BOARD PERSONNEL STUDY. The secretary of employment relations shall study all professional staff positions in the unclassified service for the educational communications board. For each position, the secretary of employment relations shall determine the appropriate classification in the state classified service to which to assign the position or determine that the appointing authority shall set the salary for the position subject to any restrictions in the compensation plan under section 230.12 of the statutes. The secretary of employment relations shall promptly submit the results of the study and recommendations for appropriate action to the secretary of administration. The secretary of administration shall recommend to the governor any

appropriate action required to give effect to the recommendations.

(2d) DAY CARE SERVICES.

(a) The department of employment relations shall endeavor to obtain space for the continuation of the pilot day care facility begun under section 230.048 of the statutes in a state office building in the city of Madison located within a radius of one mile from the state capitol before June 30, 1988.

Vetoed
in Part

~~(b) The department of employment relations shall expend not more than \$17,300 in fiscal year 1987-88 and not more than \$9,000 in fiscal year 1988-89 from the appropriation under section 20.512 (1) (b) of the statutes, as affected by this act, for the development and operation of a pilot day care facility at northern Wisconsin center for the developmentally disabled in the city of Chippewa Falls.~~

(c) The department of employment relations shall expend not more than \$30,000 in fiscal year 1987-88 from the appropriation under section 20.512 (1) (b) of the statutes, as affected by this act, for the full payment of rental costs for the pilot day care facility in the city of Madison.

(2i) CONTRACTUAL TEST DEVELOPMENT AND ADMINISTRATION STUDY. The administrator of the division of merit recruitment and selection in the department of employment relations shall do all of the following:

(a) Study the feasibility of contracting with individuals or organizations in the private sector for the development or administration, or both, of some or all of the competitive examinations used to determine merit and fitness for appointments or promotions in the state classified service. The study shall include all of the following:

1. A comparison of the costs of developing and administering examinations in the current manner with the costs of developing and administering examinations by contract with private individuals or organizations.

2. The ability of private individuals and organizations to provide and conduct a valid and objective examination.

3. The ability of private individuals and organizations to maintain the confidentiality of the content and results of an examination.

4. The effect of using contractual providers on the ability of state agencies to meet their employment needs.

5. The effect of using contractual providers on individuals who take merit and fitness examinations.

6. The extent to which current law or collective bargaining agreements affect the ability of the department of employment relations to contract with private individuals or organizations for the development and administration of examinations.

(b) By January 1, 1988, submit findings and recommendations in connection with the study under paragraph (a) to the joint committee on finance.

(2j) EMPLOYEE BENEFITS STUDY.

(a) The secretary of employment relations shall study the feasibility and comparative cost of providing state employes with a "cafeteria style" employment benefits plan which allows state employes a choice among benefits packages of comparable value offering different types or amounts of benefits and, ~~by October 1, 1987,~~ report his findings and recommendations to the joint committee on finance.

Vetoed
in Part

(b) The secretary of employment relations, in connection with the study under paragraph (a), may not consider family or medical leaves for a serious health condition or pregnancy of an employe or for a serious health condition of an employe's child, spouse or parent as fringe benefits subject to "cafeteria style" substitution by choice.

(3m) COMPARABLE WORTH STUDY. The department of employment relations shall review its previous recommendations for the correction of pay inequity on the basis of gender or race in the state civil service system and submit a report, with findings and recommendations, to the chief clerk of each house of the legislature for distribution to the members of the joint committee on employment relations ~~on or before December 1, 1987.~~

Vetoed
in Part

~~(4i) DAY CARE FEES, RULE MAKING. The department of employment relations shall promulgate the rules required under section 230.048 (4) (b) of the statutes, as created by this act, to be effective on the first day of the 7th month beginning after the effective date of this subsection.~~

Vetoed
in Part

SECTION 3024. **Nonstatutory provisions; health and social services.**

(1) GRANTS TO COMMUNITY ORGANIZATIONS. Within the limits of availability of federal funds, the department of health and social services shall allocate from the appropriation under section 20.435 (4) (ma) of the statutes:

(a) As grants to community organizations for the treatment of alcohol abuse or drug abuse problems of youth under subtitle A of title IV of P.L. 99-570, not more than \$186,600 in fiscal year 1987-88 and not more than \$228,400 in fiscal year 1988-89.

(b) As grants to community organizations for anti-drug education and prevention programs for high-risk youth, ~~other than school dropouts,~~ under subtitle B of title IV of P.L. 99-570, not more than \$935,100 in fiscal year 1987-88 and not more than \$935,100 in fiscal year 1988-89.

Vetoed
in Part

(3g) ADOLESCENT SELF-SUFFICIENCY AND PREGNANCY PREVENTION PROGRAMS. The department of health and social services shall, by September 1, 1991, submit to the governor a report evaluating the utilization and outcomes of adolescent self-sufficiency and pregnancy prevention services provided under section 46.995 of the statutes, as created by this act.

(4) COMMUNITY YOUTH AND FAMILY AIDS. 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, 1987, and ending June 30, 1989, as provided in this subsection to county departments under sections 46.215, 46.22 and 46.23 of the statutes as follows:

(a) For community youth and family aids under section 46.26 of the statutes, as affected by this act, amounts not to exceed \$17,745,900 for the last 6 months of 1987, \$35,491,800 for 1988 and ~~\$17,745,900 for the first 6 months of 1989.~~
Vetoed in Part

(b) 1. For an adjustment to compensate selected counties, amounts not to exceed \$3,991,000 for the last 6 months of 1987 and \$3,991,000 for 1988.

2. To determine eligibility for payments under this paragraph for fiscal year 1987-88, the department shall determine a percentage for each county by dividing the combined number of 1984 and 1985 assaultive and total Part I juvenile arrests in a county by the population of that county under 18 years of age. A county having a percentage exceeding 3.5% is eligible to receive these payments.

3. To determine eligibility for payments under this paragraph for fiscal year 1988-89, the department shall determine a percentage for each county by using the procedure under subdivision 2, updating the arrest data to reflect current statistics, if available. A county having a percentage exceeding 3.5% is eligible to receive these payments.

4. The department shall make payments under this paragraph 60% on the basis of assaultive Part I juvenile arrests and 40% on the basis of total Part I juvenile arrests.

5. In this paragraph, Part I juvenile arrests shall be determined in accordance with the uniform crime reporting system of the Wisconsin department of justice.

(bn) For counties not eligible for payments under paragraph (b), amounts not to exceed \$200,000 for 1988 and ~~\$100,000 for the first 6 months of 1989.~~
Vetoed in Part

(c) Beginning in 1988, \$25,790,500 per year of funds previously budgeted in the community aids appropriation under section 20.435 (4) (b) of the statutes representing the maintenance of effort base for the youth and family aids program.

(e) For emergencies related to community youth and family aids under section 46.26 of the statutes, as affected by this act, amounts not to exceed \$125,000 for the last 6 months of 1987, \$250,000 for 1988 and ~~\$125,000 for the first 6 months of 1989.~~ A county is eligible for payments under this paragraph only if it has a population of not more than 45,000 and it is not eligible for payments under paragraph (b).
Vetoed in Part

(f) For adjustments to have allocations to compensate for increases in per person daily cost assessments, amounts not to exceed \$114,600 for the last 6 months of 1987, \$368,200 for 1988 and ~~\$238,500 for the first 6~~
Vetoed in Part

~~months of 1989.~~ 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. **Vetoed in Part**

(7) RULES ON INTERPRETER SERVICES FOR HEARING IMPAIRED. The department of health and social services shall submit the proposed rules required under section 47.03 (10) (f) of the statutes, as affected by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 10th month beginning after the effective date of this subsection.

(8) COMMUNITY OPTIONS PROGRAM; ALZHEIMER'S DISEASE. For services to persons with Alzheimer's disease who are eligible under section 46.27 (6r) (a) or (d) of the statutes or section 46.27 (6r) (c) of the statutes, as affected by this act, for services, the department of health and social services shall allocate from the appropriation under section 20.435 (4) (bd) of the statutes, as affected by this act, \$513,700 for the last 6 months of 1987, \$1,027,300 for 1988 and ~~\$513,700 for the first 6 months of 1989.~~ **Vetoed in Part**

~~(8c) BUREAU FOR SENSORY DISABILITIES. The department of health and social services shall establish a bureau for sensory disabilities, including a section for the blind and a section for the hearing impaired, in the~~ submit of the department of health and social services having responsibility for vocational rehabilitation. **Vetoed in Part**

(9) FACILITY UTILIZATION REPORT.

(a) On or before June 30, 1988, the department of health and social services shall submit to the joint committee on finance a report on facility payments made under section 49.45 (6m) of the statutes, as affected by this act. The report shall include all of the following:

1. A comparison between the amounts allocated for state fiscal year 1986-87 under section 20.435 (1) (b) of the statutes, as affected by this act, and section 20.435 (1) (o) of the statutes for facility utilization and the amounts expended for state fiscal year 1986-87 for these purposes.

2. An analysis of the difference, if any, between the amounts allocated and the amounts expended, as set forth under subdivision 1.

3. An analysis of any change in the level or type of facility utilization over time, including an analysis of the effects on facility utilization of available community-based long-term support services.

(b) On or before June 30, 1989, the department of health and social services shall submit to the joint committee on finance a report on facility payments made under section 49.45 (6m) of the statutes, as affected by this act. The report shall include all of the following:

1. A comparison between the amounts allocated for state fiscal year 1987-88 under section 20.435 (1) (b) of the statutes, as affected by this act, and section 20.435 (1) (o) of the statutes for facility utilization and the

amounts expended for state fiscal year 1987-88 for these purposes.

2. An analysis of the difference, if any, between the amounts allocated and the amounts expended, as set forth under subdivision 1.

3. An analysis of any change in the level or type of facility utilization over time, including an analysis of the effects on facility utilization of available community-based long-term support services.

~~(9a) HOME HEALTH CARE AND PERSONAL CARE REPORT.~~

Vetoed
in Part

~~(a) The department of health and social services shall, by June 30, 1989, submit to the joint committee on finance a report evaluating the feasibility of instituting a system of reimbursement for providers of home health care and personal care services for medical assistance recipients by means of competitive bidding.~~

~~(b) The department of health and social services shall study the costs of providing home health services and personal care services. The department of health and social services shall submit a report on the results of the study to the chief clerk of each house of the legislature by January 1, 1988, for distribution to the appropriate standing committees.~~

(9c) CHILD SUPPORT DATA SYSTEM. The department of health and social services shall consider the feasibility of modifying the data system relating to child support payments and arrearages, which counties are required to use under section 59.39 (9m) of the statutes, as affected by this act, so that the system is compatible with data systems operated by counties.

(9g) FEDERAL ANTI-DRUG ABUSE ACT FUNDS. The department of health and social services shall allocate moneys made available to the department in fiscal years 1987-88 and 1988-89 under subtitle K of title I of P.L. 99-570 and as matching funds from the penalty assessment surcharge on court fines and forfeitures for purposes described in this subsection. The department shall make the allocations for programs and grants relating to alcohol and other drug abuse education, prevention, assessment, treatment and rehabilitation and to law enforcement activities. These programs and grants shall provide funding to or for counties, community-based organizations and juveniles and to alleviate prison overcrowding through treatment of offenders. These programs and grants are subject to the following:

(a) Moneys allocated under this subsection for adult correctional purposes shall be allocated solely for community-based programs associated with an alternative to revocation of probation or parole or with special action parole releases. To the extent possible, available funding shall be used for the following purposes and in the following amounts:

1. Halfway houses: program revenue funding of \$160,000 in fiscal year 1987-88 and \$329,600 in fiscal year 1988-89.

2. Day treatment and other residential and nonresidential alcohol and other drug abuse treatment programs: federal funding of \$211,300 in fiscal year 1987-88 and \$337,700 in fiscal year 1988-89.

3. Intensive treatment for persons who receive a special action parole release: federal funding of \$21,900 in fiscal year 1987-88 and \$17,000 in fiscal year 1988-89 and program revenue funding of \$105,900 in fiscal year 1987-88 and \$151,000 in fiscal year 1988-89.

Vetoed
in Part

4. Intensive supervision agents: program revenue funding of \$244,500 in fiscal year 1987-88 and \$314,300 in fiscal year 1988-89.

(b) Of the moneys allocated under this subsection for halfway houses, one-half shall be allocated for female clients.

(c) Of the moneys allocated under this subsection for day treatment and other residential and nonresidential treatment programs, one-third shall be allocated for female clients.

(9h) REPORT ON CONTRACT FOR SERVICES TO INJURED HISPANIC WORKERS. The department of health and social services shall report to the joint committee on finance at its 3rd quarterly meeting under section 13.10 of the statutes in 1987, concerning the award of the contract for services to injured Hispanic workers under section 47.10 of the statutes, as created by this act, and the services to be received under the contract.

(9j) COMMUNITY AIDS FUNDING FORMULA STUDY. The department of health and social services shall conduct a study to determine whether the community aids funding formula, based on the medical assistance population in degree of urbanization of and per capita market value of taxable property in each county is a valid mechanism for allocating the basic county allocation under section 46.40 (1) of the statutes, as created by this act. The department shall involve individuals from outside the department in the development and conduct of the study, including representatives from county human services departments, county social services departments, county departments of community programs and county departments of developmental disabilities services. On or before September 1, 1987, the department of health and social services shall submit its plan for implementation of the study to the joint committee on finance. On or before September 1, 1988, the department shall report the results of the study to the joint committee on finance.

(10) CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the appropriation under section 20.435 (2) (gk) of the statutes, as affected by this act, 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:

(a) 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 \$88,001,900 in fiscal year 1987-88 and \$89,586,700 in fiscal year 1988-89, unless a supplement to section 20.435 (2) (gk) of the statutes, as affected by this act, is received under section 16.515 of the statutes.

(bg) Notwithstanding paragraph (a), reimbursement to the centers for the developmentally disabled shall be reduced following each placement made under section 46.275 of the statutes, as affected by this act, including a relocation from or a diversion from admission to a center for the developmentally disabled, as follows:

1. For placements from the central Wisconsin center for the developmentally disabled, by \$90.13 per day in fiscal year 1987-88 and by \$90.13 per day in fiscal year 1988-89.

2. For placements from the northern Wisconsin center for the developmentally disabled, by \$79.29 per day in fiscal year 1987-88 and by \$79.29 per day in fiscal year 1988-89.

3. For placements from the southern Wisconsin center for the developmentally disabled, by \$78.17 per day in fiscal year 1987-88 and by \$78.17 per day in fiscal year 1988-89.

Vetoed
in Part

~~(10m) MEDICAL CARE OF PRISONERS. The department of health and social services shall study the costs associated with state reimbursement to counties for the costs of medical and hospital care and treatment for prisoners in county jails and other county facilities who are being held or detained at the request of a state probation and parole agent. The department shall submit a report of its study to the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes not later than August 1, 1988.~~

(10r) OVERCROWDING AT CORRECTIONAL INSTITUTIONS. The department of health and social services shall study problems associated with the adult and juvenile justice systems. The department shall conduct the study in conjunction with representatives of the supreme court, the judicial council, the sentencing commission, district attorneys, the office of the state public defender and any other agency or group selected by the secretary of health and social services. On the basis of the results of the study, the department shall make recommendations to address these problems in the 1988-89 annual budget bill or bills. The recommendations shall include at least all of the following:

Vetoed
in Part

(a) A plan to address adult and juvenile correctional institution overcrowding and increased state and local costs by encouraging the use of community corrections and of different sentencing and dispositional alternatives, including alternatives which do not involve incarceration.

(b) A plan to establish a systemwide adult correctional institution population capacity and methods to bring the actual population within capacity limits.

(c) A plan to ensure that children are being appropriately placed in state juvenile correctional institutions and that children in those institutions are promptly released to aftercare when they are eligible for that release.

Vetoed
in Part

~~(10s) DROP OFF CENTER. The department of health and social services shall develop a plan for using the correctional institution under section 46.05 (1a) of the statutes as a drop-off center for persons who must be transported to the reception center at the Dodge correctional institution. The plan shall address issues related to additional space, positions and funding associated with the drop-off center and with transportation of prisoners between the drop-off center and the reception center. The department shall make recommendations to implement the plan in the 1989-91 biennial budget bill.~~

Vetoed
in Part

~~(10x) CORRECTIONAL OFFICER TRAINING. The department of health and social services shall develop a plan to relocate the site of correctional officer training from Oshkosh to a site in Milwaukee, Racine or Kenosha county. The department shall submit a report on the plan to the joint committee on finance not later than January 1, 1988. The report shall include all of the following:~~

~~(a) A proposed site and plan to complete relocation of training to this site by June 30, 1989.~~

~~(b) A summary of other sites considered and rejected by the department.~~

~~(c) The estimated fiscal effect for locating at the proposed site under paragraph (a) and the rejected sites under paragraph (b).~~

Vetoed
in Part

~~(11b) STAFFING PATTERNS FOR JUVENILE CORRECTIONAL INSTITUTIONS. The department of health and social services shall study staffing patterns used at juvenile correctional institutions, including staff to client ratios for social workers, youth counselors and teachers. The department shall consider the effect of special purpose and intensive treatment programs and relevant factors involving the juvenile clients, including factors relating to offenses. The department shall report the results of the study to the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes not later than October 1, 1987.~~

(11c) GENERAL RELIEF MEDICAL REIMBURSEMENT REPORT. The department of health and social services shall study cost containment alternatives for medical cost reimbursement under the general relief program and report its findings to the joint committee on finance on or before January 1, 1988.

Vetoed
in Part

~~(11dm) RULES FOR GUARANTEED JOBS PROGRAM. The department of health and social services shall submit the rules required under sections 46.33 (5) and (6), 49.057 (2) and 49.50 (7) (j) 2 of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than December 1, 1987.~~

(11f) MEDICAL ASSISTANCE COPAYMENT STUDY. The department of health and social services shall study the impact of copayments on medical assistance recipients, including the financial impact and the potential effect of copayments on utilization of services, and shall submit its findings to the joint committee on finance on or before July 1, 1989.

Vetoed
in Part

~~(11g) COMMUNITY AIDS FUNDING RESTRUCTURING REPORT. On or before October 31, 1987, the department of health and social services shall submit to the joint committee on finance a report on restructuring the earmarking of community aids funding, under section 20.435 (4) (b) and (c) of the statutes, as affected by this act, for 1990. The department shall make recommendations regarding the distribution of community aids funds among the following 7 categories of services: mental health; developmental disabilities; alcohol and other drug abuse; physical and sensory disabilities; children and families; juvenile justice, and adults and the elderly. The department's recommendations shall, in addition to those concerning the 7 categories of services, include continued earmarking for child day care under section 46.98 of the statutes, as affected by this act, and the family support programs under section 46.985 of the statutes, as affected by this act. The department shall include in the report recommendations on the base level of funding for each category of services and the limits on the transfer of funds between categories.~~

Vetoed
in Part

(11h) REPORT ON PERFORMANCE STANDARDS. ~~On or before October 31, 1987,~~ the department of health and social services shall report to the joint committee on finance the specific performance standards it will develop under section 46.47 (1) of the statutes, as created by this act. The report shall identify information which must be collected in order to allocate funds based on the performance standards.

(11j) WELFARE REFORM WAIVERS; RULES.

(a) The department of health and social services shall submit any proposed rules for the administration of sections 49.19 (5) (am), 49.46 (1) (co) and 49.50 (7) (e) 1, (f), (g), (h) and (i) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than September 1, 1987. The department may submit the proposed rules prior to approval of the necessary waivers by the secretary of the federal department of health and human services, but no rule may go into effect until the relevant waiver is in effect.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules for the administration of section 49.50 (7) (e) 1, (g), (h) and (i) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a). Using the procedure under section 227.24 of the statutes, the department of health and social services may promulgate rules for the administration of sections

49.19 (5) (am), 49.46 (1) (co) and 49.50 (7) (f) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a). Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. The department may promulgate the rules prior to approval of the necessary waivers by the secretary of the federal department of health and human services, but no rule may go into effect until the relevant waiver is in effect. Notwithstanding section 227.24 (1) (c) of the statutes, a rule promulgated under this paragraph remains in effect until January 1, 1989, or until the corresponding rule submitted under paragraph (a) goes into effect, whichever is earlier.

~~(11i) DAY CARE ADMINISTRATION STUDY. The department of health and social services shall study the feasibility of contracting with a private nonprofit organization to administer the child day care program under section 46.98 of the statutes, as affected by this act, in a county with a population of 500,000 or more. On or before January 1, 1989, the department shall report its findings to the joint committee on finance.~~

Vetoed
in Part

(12g) REASONABLE EDUCATIONAL PROGRESS STUDY. The department of health and social services and the department of public instruction shall jointly study the feasibility of instituting a requirement that teenagers receiving aid to families with dependent children, under section 49.19 of the statutes, make reasonable progress toward obtaining a high school diploma or its equivalent or be subject to sanctions. The department of health and social services and the department of public instruction shall jointly report the results of the study to the presiding officer of each house of the legislature on or before December 31, 1988.

(12r) COMMUNITY OPTIONS PROGRAM FISCAL MANAGEMENT PROCEDURES. The department of health and social services shall, by October 1, 1987, submit to the joint committee on finance and to the presiding officer of each house of the legislature a report concerning the implementation of rules establishing procedures and standards under section 46.27 (12) of the statutes, as created by this act.

(13m) RULES ON PATERNITY ACTIONS BY COUNTIES. The department of health and social services shall submit proposed rules under section 767.45 (6m) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 8th month beginning after the effective date of this subsection.

(13r) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT RULES. The department of health and social services shall submit in proposed form the rules required under section 46.87 (5) (a) 3, (b) and (c) of the statutes, as affected by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 6th month after the effective date of this subsection.

(13z) ALZHEIMER'S DISEASE TRAINING AND INFORMATION GRANT RENEWAL. For state fiscal years 1987-88 and 1988-89, the department of health and social services may renew the grant awarded under section 46.855 of the statutes with the private nonprofit organization which is the grantee on June 30, 1987, without soliciting bids or proposals.

(14m) PATERNITY BACKLOG. The department of health and social services shall develop a plan for reducing the paternity establishment backlog in a county with a population of 500,000 or more. The department shall develop the plan after consultations with the county and shall submit the plan to the joint committee on finance on or before January 1, 1988. The plan may not be implemented, and no funds under section 20.435 (4) (cj) of the statutes may be released, until the joint committee on finance approves the plan. The plan may not be in effect after June 30, 1989. Under the plan, the department may, with the approval of the joint committee on finance, establish project positions, pay staff from other counties willing to participate in the effort to reduce the backlog and use funds to pay incentives to reduce the backlog.

Vetoed in Part

~~(14n) ACTION TO REDUCE DISALLOWANCES FOR INSTITUTIONS FOR MENTAL DISEASES. The department of health and social services shall act to minimize potential disallowances of federal medicaid financial participation that may result from a finding by the federal health care financing administration that a facility in this state that provides care to medical assistance recipients is an institution for mental diseases, as defined under 42 CFR 435.1009.~~

(15m) DELINQUENT CHILD SUPPORT WITHHOLDING REPORT. The department of health and social services shall submit a report to the joint committee on finance on or before January 1, 1989, concerning the feasibility of withholding delinquent child support and maintenance under section 46.255 (4m) of the statutes, as created by this act, and its progress in implementing that provision.

Vetoed in Part

~~(15n) DOMESTIC ABUSE SERVICES. From the appropriation under section 20.435 (4) (cb) of the statutes, as affected by this act, the department of health and social services shall fund domestic abuse services provided by an organization which on May 15, 1985, operated a shelter facility in Wood county. In addition to the moneys authorized under section 46.95 (2) of the statutes, the department of health and social services shall expend \$10,000 in fiscal year 1987-88 and \$5,000 in fiscal year 1988-89 for domestic abuse services funded under this subsection.~~

(15sc) LONG-TERM DOMESTIC ABUSE SERVICES. From the appropriation under section 20.435 (4) (cb) of the statutes, as affected by this act, the department of health and social services shall fund long-term housing and support services provided to victims of domestic abuse by an organization which on May 15, 1987, operated a long-term housing and support services program for victims of domestic abuse who have left

the abusive relationship. In addition to the moneys authorized under section 46.95 (2) of the statutes, as affected by this act, the department of health and social services shall expend \$50,000 in fiscal year 1987-88 and \$50,000 in fiscal year 1988-89 for long-term housing and support services funded under this subsection. Any amounts received under this subsection shall be excluded from the amounts received and the operating budget in making determinations under section 46.95 (2) (d) 1 of the statutes in fiscal year 1987-88 and 1988-89.

Vetoed in Part

Vetoed in Part

~~(15x) SEXUAL ASSAULT COUNCIL. The governor shall initially appoint the members of the sexual assault council under section 15.197 (19) of the statutes, as created by this act, so that:~~

Vetoed in Part

~~(a) The terms of 2 members expire on July 1, 1988.~~

~~(b) The terms of 2 members expire on July 1, 1989.~~

~~(c) The terms of 3 members expire on July 1, 1990.~~

(16m) INCOME MAINTENANCE VERIFICATION STUDY. The department of health and social services shall study verification measures which may help reduce errors in county administration of the aid to families with dependent children, medical assistance and food stamp programs.

(16r) COMMUNITY SUPPORT FUNDING REPORT. The department of health and social services shall examine alternatives which would allow this state to claim additional federal medical assistance funds for services provided by community support programs to medical assistance recipients who are chronically mentally ill. On or before January 1, 1988, the department shall report its findings to the joint committee on finance.

Vetoed in Part

~~(17r) INCREASED REIMBURSEMENT FOR CARDIOVASCULAR AND BRAIN SURGERIES. From the amounts provided under section 20.435 (1) (b) of the statutes the department of health and social services shall provide \$56,200 in state fiscal year 1987-88 and \$56,000 in state fiscal year 1988-89 and from the amounts provided under section 20.435 (1) (c) of the statutes the department of health and social services shall provide \$79,700 in state fiscal year 1987-88 and \$80,500 in state fiscal year 1988-89 to increase reimbursement rates for physicians who perform cardiovascular and brain surgeries as a covered service for medical assistance under section 49.46 (2) (a) 1 or 49.47 (6) (a) 1 of the statutes, as affected by this act.~~

Vetoed in Part

~~(18dm) MEDICAL ASSISTANCE ALCOHOL AND OTHER DRUG ABUSE COVERAGE STUDY. The department of health and social services shall study the impact on inpatient alcohol and other drug abuse expenditures under the medical assistance program of expanding the range of outpatient services available under the medical assistance program to include alcohol and other drug abuse day treatment services. On or before January 30, 1989, the department shall report its findings to the joint committee on finance.~~

(18f) MEDICAL ASSISTANCE WAIVER FOR SEVERELY EMOTIONALLY DISTURBED CHILDREN. The department

of health and social services shall develop a proposed waiver to the requirements of the federal medicaid program under 42 USC 1396 to 1396s to permit receipt of federal financial participation for the provision of community-based mental health services as an alternative to inpatient care for the treatment of severely emotionally disturbed children and children who need alcohol and other drug abuse services, who are eligible for medical assistance under section 49.46 (1) (a) or 49.47 (4) (a) of the statutes. The department of health and social services shall submit the proposed waiver to the federal health care financing administration by January 1, 1988. If the waiver request is approved, the department shall implement the program only if the department determines that the implementation would not result in increased medical assistance expenditures.

(18g) POSITION AUTHORIZATION; AFDC FEDERAL WAIVERS. The authorized FTE positions for the department of health and social services are increased, on the effective date of this subsection, as follows:

(a) Funded from the appropriation under section 20.435 (4) (a) of the statutes, 2.5 GPR project positions for the period ending June 30, 1988, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(b) Funded from the appropriation under section 20.435 (4) (a) of the statutes, 1.75 GPR project positions for the period ending June 30, 1990, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(c) Funded from the appropriation under section 20.435 (4) (n) of the statutes, 2.5 FED project positions for the period ending June 30, 1988, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(d) Funded from the appropriation under section 20.435 (4) (n) of the statutes, 1.75 FED project positions for the period ending June 30, 1990, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(e) Funded from the appropriation under section 20.435 (8) (a) of the statutes, 0.5 GPR project position for the period ending June 30, 1990, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(f) Funded from the appropriation under section 20.435 (8) (m) of the statutes, 0.5 FED project position for the period ending June 30, 1990, for the purpose of implementing the federal waivers requested under this act for the aid to families with dependent children program.

(18i) COMMUNITY SUPPORT PROGRAM REQUIREMENTS. The department of health and social services shall submit rules, required under section 51.421 (3) (a) of the statutes, as affected by this act, that ensure that providers of community support program services meet medical assistance provider certification standards to the legislative council staff under section 227.15 (1) of the statutes no later than September 1, 1987.

(18m) POSITION AUTHORIZATION; EXTENDED MEDICAL ASSISTANCE ELIGIBILITY. The authorized FTE positions for the department of health and social services are increased by 0.5 GPR project position, to be funded from the appropriation under section 20.435 (1) (a) of the statutes, and 0.5 FED project position to be funded from the appropriation under section 20.435 (1) (n) of the statutes, on the effective date of this subsection for the period ending on June 30, 1988, to implement the extension of medical assistance benefits for families who become ineligible for aid to families with dependent children because of employment.

~~(18z) WELFARE FRAUD INVESTIGATION PROGRAM EXPANSION. In fiscal years 1987-88 and 1988-89, the department of health and social services shall expand the welfare fraud investigation program under section 49.197 (1m) of the statutes, as affected by this act, to provide funds to a county with a population of at least 9,000 but not more than 10,000, as shown by the last federal census.~~

**Vetoed
in Part**

(19m) ADOLESCENT CHOICES PROJECT PROGRAM. The authorized FTE positions for the department of health and social services are increased by 1.5 GPR positions on the effective date of this subsection, to be funded from the appropriation under section 20.435 (4) (em) of the statutes, for the purpose of administration of the adolescent choices project program under section 46.935 of the statutes, as created by this act.

**Vetoed
in Part**

**Vetoed
in Part**

~~(19n) SPECIAL ACTION RELEASE. The department of health and social services shall promulgate emergency rules under section 227.24 of the statutes to administer the special action release program under section 57.06 (1r) of the statutes, as created by this act. The department shall promulgate the emergency rules regardless of whether the criteria under section 227.24 (1) (a) of the statutes have been met. The emergency rules may remain in effect until August 1, 1988.~~

**Vetoed
in Part**

(19x) INCOME MAINTENANCE WORKER COMPETENCY RULES.

(a) The department of health and social services shall submit proposed rules for income maintenance worker competency standards under section 46.033 (2) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than January 1, 1988.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules for income maintenance competency standards under section 46.033 (2) of the statutes.

utes, as created by this act, for the period beginning on the first day of the 6th month beginning after publication to the effective date of the rules submitted under paragraph (a). Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (c) of the statutes, a rule promulgated under this paragraph remains in effect until January 1, 1989, or until the rule submitted under paragraph (a) goes into effect, whichever is earlier.

Vetoed in Part

~~(20m) GENERAL RELIEF REIMBURSEMENT. In fiscal years 1987-88 and 1988-89, the department of health and social services shall distribute the unencumbered balance of the appropriation under section 20.435 (4) (eb) of the statutes, after reimbursement is made under section 49.035 of the statutes, to counties based on each county's share of the total reimbursable non-medical general relief expenditures in the calendar year preceding the calendar year in which the fiscal year ends.~~

(21j) ANCHORAGE PROGRAM POSITIONS. The authorized FTE positions for the department of health and social services are decreased by 8.5 PRO positions on the effective date of this subsection for the purpose of eliminating the Anchorage program at Winnebago mental health institute.

(21m) NURSING HOME LICENSURE RULES. The department of health and social services shall submit proposed rules to define fitness and qualifications of nursing home license applicants under section 50.03 (4) (a) 1 of the statutes, as affected by this act, in final draft form to the legislative council staff for review under section 227.15 (1) of the statutes no later than March 1, 1988.

Vetoed in Part

~~(22b) POSITION AUTHORIZATION, UNSCHEDULED SURVEYS. The authorized FTE positions for the department of health and social services are increased, on the effective date of this subsection, by 1.29 federal PRO positions to be funded from the appropriation under section 20.435 (1) (n) of the statutes, for the purpose of conducting unscheduled and unannounced visits to nursing homes and to respond to complaints requiring immediate investigation.~~

(22d) RESIDENT'S RIGHT TO KNOW RULES. The department of health and social services shall submit proposed rules for information required to be provided to nursing home residents and prospective residents under s. 50.095 (1) of the statutes, as created by this act, in final draft form to the legislative council staff for review under section 227.15 (1) of the statutes no later than July 1, 1988.

Vetoed in Part

~~(22i) TRIPLE FORFEITURE NURSING HOME RULES. The department of health and social services shall submit proposed rules under section 50.04 (5) (a) 5 of the statutes, as affected by this act, in final draft form to the legislative council staff under section 227.15 (1) of the statutes no later than July 1, 1988.~~

Vetoed in Part

(22n) NURSING HOME STAFFING PATTERNS. The department of health and social services shall study

~~the adequacy of current hourly requirements for the provision to residents of nursing homes of skilled or intermediate nursing care and the financial impact of computing nursing personnel service on a daily, rather than weekly, basis and shall, no later than January 1, 1988, submit a report of its findings and recommendations to the chief clerk of each house of the legislature for distribution to standing committees with jurisdiction over health matters.~~

Vetoed in Part

(22p) RESTORING POSITION AUTHORIZATIONS. The authorized positions for the department of health and social services are increased by 7.2 FTE GPR positions on the effective date of this subsection to restore the deputy division administrator and state federal relations office positions deleted by the joint committee on finance.

~~(22r) LEAD POISONING PREVENTION. A 1st class city and, from the appropriation under section 20.435 (1) (a) of the statutes, the department of health and social services, shall each expend \$16,500 for fiscal year 1987-88 and shall each expend \$33,000 for fiscal year 1988-89 to fund one sanitarian and one public health nurse in the city health department of that 1st class city for the purpose of providing services related to lead poisoning prevention.~~

Vetoed in Part

(23m) NURSING HOME BED STUDY, PLAN AND REPORT. The department of health and social services shall perform a study to determine the number of licensed nursing home beds necessary for the provision of care and treatment for persons with mental illness and shall develop a plan for allocation of these beds. The department of health and social services shall, by January 1, 1988, submit to the joint committee on finance a report concerning the study results and plan developed.

~~(23n) SPECIALIZED NURSING HOME RULES. The department of health and social services shall submit proposed rules establishing standards and operating authorization procedures for the provision of services by specialized nursing homes under section 50.02 (3) (e) of the statutes, as created by this act, in final draft form to the legislative council staff for review under section 227.15 (1) of the statutes no later than March 1, 1988.~~

Vetoed in Part

(24m) COUNCIL ON PILOT PROJECTS FOR THE UNINSURED. On the effective date of this subsection, all records, materials, supplies and equipment of the council on health care coverage for the uninsured are transferred to the council on pilot projects for the uninsured.

Vetoed in Part

~~(24n) STUDY ON PAYMENT OF FACILITY EMPLOYEE WAGE INCREASES. By October 1, 1988, the department of health and social services shall submit to the chief clerk of each house of the legislature, for distribution to standing committees with jurisdiction over health matters, a report on the method by which an element of the medical assistance facility payment formula under section 49.45 (6m) of the statutes would be~~

Vetoed in Part

Vetoed in Part ~~established through which a facility would receive funding for the purpose of modifying employe wages.~~

SECTION 3026. Nonstatutory provisions; higher educational aids board.

(1m) STUDENT LOAN REVENUE OBLIGATION BOND PORTFOLIO.

(a) By December 1, 1987, the higher educational aids board, the department of justice and the division of state executive budget and planning of the department of administration shall evaluate the relative short-term and the long-term fiscal advantages of:

1. Selling all student loans made by the higher educational aids board under section 39.32 of the statutes, pursuant to section 39.28 (4) of the statutes, and in accordance with all resolutions of the building commission.

2. Refinancing outstanding revenue bonds that the higher educational aids board issued under section 39.37 (1) of the statutes, in accordance with subchapter II of chapter 18 of the statutes, to fund student loans under section 39.32 of the statutes.

3. Taking no action under subdivision 1 or 2.

(b) By December 1, 1987, the higher educational aids board, the department of justice and the division of state executive budget and planning of the department of administration shall submit a report to the governor and to the presiding officer of each house of the legislature for referral to the appropriate standing committee under section 13.172 (3) of the statutes.

(c) In fiscal year 1987-88, the higher educational aids board shall not sell the portfolio of all student loans made by the higher educational aids board under section 39.32 of the statutes unless the following requirements and conditions are met:

1. The governor receives the report under paragraph (b).

2. The appropriate standing committee of each house of the legislature receives the report under paragraph (b).

3. The joint committee on finance approves the sale.

(d) In fiscal year 1987-88, the higher educational aids board shall not refinance outstanding revenue bonds that the higher educational aids board issued under section 39.37 of the statutes, unless the following requirements and conditions are met:

1. The governor receives the report under paragraph (b).

2. The appropriate standing committee of each house of the legislature receives the report under paragraph (b).

3. The building commission approves the refinancing.

(e) Notwithstanding section 20.235 (1) (m) of the statutes, in fiscal year 1987-88 the sum of \$125,000 or the unencumbered balance of the appropriation account under section 20.235 (1) (m) of the statutes,

whichever is less, shall be retained in the appropriation account to fund the report under paragraph (b).

(2g) DETERMINATION OF STUDENT COSTS; REPORTING OF CHILD CARE COSTS.

(a) By September 1, 1988, all institutions of higher education that participate in aid programs under section 39.38 of the statutes and sections 39.30, 39.435 and 39.44 of the statutes, as affected by this act, shall report the number of students who claim child care in determining the cost of education under section 39.31 of the statutes, as created by this act, and the dollar amounts for costs of child care as part of educational costs, in accordance with section 39.31 of the statutes, as created by this act.

(2m) ADMINISTRATIVE FUNDING RESERVED. The secretary of administration shall, under section 16.50 (2) of the statutes, withhold approval of the expenditure of \$637,500 in fiscal year 1987-88 and \$649,700 in fiscal year 1988-89 from the appropriation under section 20.235 (2) (aa) of the statutes until the joint committee on finance determines that the money is required to carry out the higher educational aids board's program operations and approves expenditure of the money.

SECTION 3027. Nonstatutory provisions; historical society.

(1g) NORTH COUNTRY INTERPRETIVE CENTER. Of the amounts appropriated to the state historical society under section 20.245 (5) (a) of the statutes, the state historical society shall expend \$75,000 in fiscal year 1987-88 and \$16,000 in fiscal year 1988-89 to assist in the development of a north country interpretive center.

SECTION 3030. Nonstatutory provisions; industry, labor and human relations.

(1) JOB CENTER PILOT PROJECTS.

(a) In this subsection, "job center" means an office or similar location where individuals help employers find qualified employes and help individuals seeking employment prepare for and start employment.

(b) The department of industry, labor and human relations, the department of health and social services, the state board of vocational, technical and adult education and other appropriate state bodies shall cooperate to develop and maintain job center pilot projects which demonstrate how to improve the quality and efficiency of employment and training services by consolidating or coordinating related functions performed by state, local and private bodies.

(c) The department of industry, labor and human relations shall seek proposals from groups of public and private employment and training bodies for job center pilot programs. The department of industry, labor and human relations shall establish eligibility criteria for participation in proposing and operating job centers. The local body responsible for administering the federal job training partnership act, 29 USC 1501 to 1781, and the subunit of the department of industry, labor and human relations responsible for

the provision of employment services under section 101.23 of the statutes shall participate in each proposal and the operation of each job center. The department of industry, labor and human relations may require the inclusion of other specified bodies in proposing and operating job centers.

(d) From the amounts appropriated under section 20.445 (1) (c) of the statutes, as created by this act, the department of industry, labor and human relations may use \$150,000 to fund grants for planning and starting job center pilot projects.

(e) No later than November 1, 1988, the department of industry, labor and human relations shall submit to the governor and to the presiding officer of each house of the legislature a report discussing job center pilot projects.

(fg) This subsection does not apply after June 30, 1989.

(2) UNIFORM INFORMATION SYSTEMS.

(a) The department of industry, labor and human relations and the department of health and social services shall jointly develop recommendations concerning one or more uniform systems for obtaining client and fiscal information regarding employment and training programs, income maintenance programs and related social services. The uniform system or systems shall do all of the following:

1. Eliminate duplicative data collection and eligibility determination functions.
2. Improve coordination among agencies providing services to the same clients or types of clients.
3. Increase the likelihood that clients will receive the most appropriate services.
4. Provide data for planning and evaluating programs.

(b) The department of industry, labor and human relations and the department of health and social services may agree to develop and implement any new or modified information system and may fund the system from the amounts appropriated for administration under sections 20.435 (4) (bg) and (df) and 20.445 (1) (c) of the statutes, as affected by this act, and sections 20.435 (4) (a) and (pm) and 20.445 (1) (a), (kg), (m), (ma) and (n) of the statutes.

(c) No later than November 1, 1988, the department of industry, labor and human relations and the department of health and social services shall jointly submit to the governor and to the presiding officer of each house of the legislature a report setting forth the recommendations developed under paragraph (a) and describing any actions taken to implement those recommendations.

(3) FIRE DUES DISTRIBUTION. On the effective date of this subsection, the department of industry, labor and human relations shall make the compilation and certification required under section 101.573 (3) (a) of the statutes, as affected by this act. No later than August 1, 1987, the state treasurer shall pay the amounts in

that certification to the cities, villages and towns eligible under section 101.575 of the statutes.

(4g) DISLOCATED WORKERS. The department of labor, industry and human relations may not expend or encumber any moneys from the appropriation under section 20.445 (1) (bc) of the statutes, as affected by this act, as follows:

(a) In fiscal year 1987-88, until the secretary of industry, labor and human relations notifies the department of administration of the amount of all funds allotted to the state under 29 USC 1651 (b) and (d) for that fiscal year.

(b) In fiscal year 1988-89, until the secretary of industry, labor and human relations notifies the department of administration of the amount of all funds allotted to the state under 29 USC 1651 (b) and (d) for that fiscal year.

(4x) LABOR AND MANAGEMENT COUNCIL.

(a) The terms of the initial members of the labor and management council established under section 15.227 (17) of the statutes, as created by this act, shall expire as follows:

1. On July 1, 1988, one member from each of the groups specified in section 15.227 (17) (b) 1, 2 and 3 of the statutes.

2. On July 1, 1989, a 2nd member from each of the groups specified in section 15.227 (17) (b) 1, 2 and 3 of the statutes.

3. On July 1, 1990, a 3rd member from each of the groups specified in section 15.227 (17) (b) 1, 2 and 3 of the statutes.

4. On July 1, 1991, a 4th member from each of the groups specified in section 15.227 (17) (b) 1, 2 and 3 of the statutes.

5. On July 1, 1992, the 5th member from each of the groups specified in section 15.227 (17) (b) 1, 2 and 3 of the statutes.

(b) The terms of a member of the labor and management council appointed after the expiration of the term of an initial member shall expire in accordance with section 15.09 of the statutes.

(5g) EMPLOYMENT SERVICES REPORT. The department of industry, labor and human relations shall submit a report discussing the results of the employment services to unemployment compensation claimants program funded under section 20.445 (1) (gf) of the statutes, as created by this act, to the chief clerk of each house of the legislature for distribution to the speaker of the assembly and the president of the senate by January 1, 1989.

SECTION 3031. Nonstatutory provisions; insurance.

(1h) DISABLED PERSONS HEALTH CARE STUDY. The office of the commissioner of insurance, the board of governors established under section 619.15 of the statutes, the department of health and social services and the department of industry, labor and human relations shall study and make recommendations regarding the establishment of wrap-around health care

policies for the ongoing health care needs of disabled persons. The recommendations shall be submitted to the chief clerk of each house of the legislature by July 1, 1988, for distribution to the appropriate standing committees under section 13.172 (3) of the statutes.

Vetoed
in Part

~~(2g) RECORD KEEPING RULES. The commissioner of insurance shall submit the proposed rules required under section 632.87 (3) (d) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 5th month beginning after the effective date of this subsection.~~

(3n) COMMERCIAL LIABILITY INSURANCE REPORTS.

Vetoed
in Part

(a) The commissioner of insurance shall submit the proposed rules required under section 601.422 ~~(2n)~~ of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 7th month beginning after the effective date of this subsection.

(b) Insurers shall file the first commercial liability insurance report required under section 601.422 of the statutes, as created by this act, on or before May 1, 1989.

SECTION 3036. Nonstatutory provisions; justice.

Vetoed
in Part

~~(1g) PENALTY ASSESSMENT SURCHARGE. Notwithstanding section 165.87 of the statutes, as affected by this act, allocations of moneys collected from penalty assessments in fiscal year 1987-88 are subject to adjustments under this subsection, as follows:~~

~~(a) In fiscal year 1987-88 the amount deposited in the appropriation under section 20.455 (2) (f) of the statutes, as affected by this act, shall be the greater of the following: the amount authorized under section 165.87 (1) (a) of the statutes, as affected by this act, or \$4,908,600.~~

~~(b) In fiscal year 1987-88 the amount deposited in the appropriation under section 20.435 (3) (jp) of the statutes shall be the greater of the following: the amount authorized under section 165.87 (1) (b) of the statutes, as affected by this act, or \$892,500.~~

~~(cm) The secretary of administration shall transfer moneys from sections 20.255 (1) (hr) and (2) (g), 20.420 (1) (g) and 20.505 (6) (g) of the statutes, as affected by this act, to accomplish the purposes of this subsection. Moneys transferred under this paragraph shall be at the following rates:~~

~~1. Prior to October 1, 1987, from the appropriation under section 20.420 (1) (g) of the statutes, as affected by this act, and on or after October 1, 1987, from section 20.505 (6) (g) of the statutes, as affected by this act: 75%.~~

~~2. From section 20.255 (2) (g) of the statutes, as affected by this act: 15.55%.~~

~~3. From section 20.255 (1) (hr) of the statutes, as affected by this act: 9.45%.~~

(1i) CRIME LABORATORY EQUIPMENT. In fiscal year 1987-88 \$60,000 and in fiscal year 1988-89 \$130,000 of the moneys available under section 20.455 (2) (jb) of

the statutes, as affected by this act, may not be expended until the expenditure has been approved by the joint committee on finance.

(1j) CRIME LABORATORY EQUIPMENT REPLACEMENT SCHEDULE. Prior to making recommendations regarding the 1988-89 annual budget bill or bills, the department of justice shall develop a crime laboratory equipment replacement schedule based on the useful life of the equipment. Any such departmental recommendations addressing crime laboratory equipment needs shall be based on the schedule.

(1m) CASES UNDER INMATE COMPLAINT REVIEW SYSTEM. The department of justice shall study staffing problems associated with providing legal representation in cases arising under the inmate complaint review system and, on the basis of the results of the study, make recommendations to the governor to address these problems in the 1988-89 annual budget bill or bills.

(2d) METROPOLITAN SEWERAGE DISTRICT AUDIT. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct an audit of the metropolitan sewerage district created under section 66.882 of the statutes to determine if the district is complying with administrative rule NR 128.14 (4) in meeting its minority business enterprise goal and if the district is meeting any women's business enterprise goal which the district has established and which is in effect as of July 1, 1987.

(2g) EXPANSION OF CRIME VICTIM COUNCIL. The attorney general shall initially appoint the 6 additional members of the crime victims council under section 15.257 (2) of the statutes, as affected by this act, so that the terms of 2 members expire on each of the following dates: July 1, 1988, July 1, 1989, and July 1, 1990.

SECTION 3037. Nonstatutory provisions; legislature.

(1m) CHILD ABUSE AND NEGLECT PREVENTION BOARD AUDIT. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct an audit of the child abuse and neglect prevention board, on or before January 1, 1989, to determine the board's effectiveness in preventing the abuse and neglect of children in this state since the creation of the board in 1983 and to evaluate the board's fund-raising activities and its potential for raising private donations.

(2d) METROPOLITAN SEWERAGE DISTRICT AUDIT. The joint legislative audit committee is requested to direct the legislative audit bureau to conduct an audit of the metropolitan sewerage district created under section 66.882 of the statutes to determine if the district is complying with administrative rule NR 128.14 (4) in meeting its minority business enterprise goal and if the district is meeting any women's business enterprise goal which the district has established and which is in effect as of July 1, 1987.

(2g) WASTE MANAGEMENT FUND, ENVIRONMENTAL REPAIR FUND AND GROUNDWATER FUND STUDY. The legislative council is requested to study the state's long-term care responsibility for closed solid and hazardous waste facilities; the ability of the waste management fund, environmental repair fund and the groundwater fund to meet their respective statutory responsibilities under the current revenue structures; and the methods of establishing financial responsibility for solid and hazardous waste facilities. The legislative council is requested to report its findings and recommendations to the 1989 legislature when it convenes.

(2m) MILWAUKEE COUNTY CHILD SUPPORT AND PATERNITY ESTABLISHMENT AUDIT. The legislative audit bureau shall conduct a program audit of the agency which administers the child and spousal support and establishment of paternity programs in Milwaukee county under the contract under section 59.07 (97) of the statutes and shall report its findings to the presiding officer of each house of the legislature no later than January 1, 1989.

**Vetoed
in Part** (3m) COMMUNITY AIDS DAY CARE AUDIT. The legislative audit bureau is requested to conduct a program and financial audit of the use of day care funds, provided under section 46.98 (2) (a) 1 of the statutes, by Milwaukee county in 1986.

(4m) VOCATIONAL, TECHNICAL AND ADULT EDUCATION STUDY. By November 1, 1988, the legislative council shall:

(a) Study, consider and make recommendations on all issues related to the implementation of full state financing of the vocational, technical and adult education system, including the system's mission, governance, finances, facilities and personnel; student access to the system; and study the feasibility of maintaining a system of local governance in the vocational, technical and adult education system. In conducting the study, the legislative council shall consider any recommendations relating to the vocational, technical and adult education system by executive branch study commissions.

(b) Submit a draft of legislation to implement full state financing of the vocational, technical and adult education system, to take effect in the 1990-91 fiscal year and a report on the findings of the study under paragraph (a) to the presiding officer of each house of the legislature for referral to the appropriate standing committees.

(5d) LEGISLATIVE AUDIT; NICOLET DISTRICT COLLEGE PARALLEL PROGRAM. On or before November 1, 1988, the legislative audit bureau shall conduct a financial and program audit of the college parallel program of the Nicolet district of the vocational, technical and adult education program.

(17m) LEGISLATIVE COUNCIL STUDY ON ACQUIRED IMMUNODEFICIENCY SYNDROME. The legislative council is requested to study the problem of the epidemic of acquired immunodeficiency syndrome in Wisconsin

and the response by state government to detection, treatment and surveillance of the disease. The legislative council is requested to report its findings, conclusions and recommendations to the 1989 legislature when it convenes.

~~(18f) LEGISLATIVE COUNCIL STUDY. The legislative council is requested to study interstate sales and use tax agreements and the feasibility of membership in the multistate tax commission and of instituting domestic combination of income for purposes of the corporate income and franchise taxes and to report the results of its study, along with its recommendations, to the chief clerk of each house of the legislature, on or before January 1, 1988, for distribution to the members.~~

**Vetoed
in Part**

(19g) LEGISLATIVE COUNCIL STUDY. The legislative council is requested to study the fee system established by the department of agriculture, trade and consumer protection and to report its findings to the 1989 legislature when it convenes.

SECTION 3039. Nonstatutory provisions; military affairs.

(1) FEDERAL FUNDING FOR FUEL AND UTILITIES.

(a) The department of military affairs shall apply up to \$242,800 of any unrestricted federal funds received under section 20.465 (1) (m) of the statutes for the operation of state armories to the purchase of fuel and utilities in fiscal year 1987-88 if the federal funds are received on or after October 1, 1986, and before October 1, 1987, and to the purchase of fuel and utilities in fiscal year 1988-89 if the federal funds are received on or after October 1, 1987, and before October 1, 1988.

(b) Of the moneys appropriated to the department of military affairs under section 20.465 (1) (f) of the statutes for the purchase of fuel and utilities, an amount not to exceed \$242,800 in fiscal year 1987-88 and an amount not to exceed \$242,800 in fiscal year 1988-89 may not be expended unless the expenditure is authorized by the department of administration in the 4th quarter of fiscal year 1987-88 or fiscal year 1988-89, respectively. Any such expenditure is limited to the amount by which the unrestricted federal funds received for the purchase of fuel and utilities for fiscal year 1987-88 or fiscal year 1988-89, respectively, is less than \$242,800.

SECTION 3040. Nonstatutory provisions; natural resources.

(1) NONPOINT SOURCE POLLUTION ABATEMENT PROGRAM. There are transferred 3.0 positions in the department of natural resources related to the administration and implementation of the nonpoint source water pollution abatement program under section 144.25 of the statutes, as affected by this act, to the department of agriculture, trade and consumer protection for the administration of section 144.25 of the statutes, as affected by this act.

(1m) SEWER COLLECTION CONSTRUCTION REIMBURSEMENT. Notwithstanding section 144.24 (6) of the stat-

utes, the department of natural resources may make a commitment no later than June 30, 1989, for financial assistance under section 144.24 (9) of the statutes to any eligible project under section 144.24 (4) (b) 1. b of the statutes, as created by this act.

(2) FOREST CROPLANDS PROGRAM AND WOODLAND TAX LAW. Notwithstanding sections 77.13 (2) and 77.16 (14) (b), 1985 stats., any action taken by the department of natural resources on any petition or application filed with the department and any order issued by the department under section 77.13 (2) or 77.16 (14) (b), 1985 stats., on or after July 20, 1985, and before January 1, 1986, is valid and shall remain in effect.

Vetoed
in Part

~~(2h) PETROLEUM STORAGE ENVIRONMENTAL CLEANUP~~

~~(a) Notwithstanding section 144.76 (6) (a) of the statutes, as affected by this act, the department of natural resources shall expend moneys not to exceed \$3,000,000 from the appropriation under section 20.370 (2) (dv) of the statutes during the 1987-89 biennium to cover costs for investigation and clean-up activities associated with abandoned petroleum product storage systems, as defined in section 144.4425 (1) (a) of the statutes, as created by this act.~~

~~(b) If the department of natural resources expends \$3,000,000 in the 1987-89 biennium, as provided under paragraph (a), then notwithstanding the effective date of section 144.4425 (2) (b) 3 of the statutes, as created by this act, the department of natural resources may expend moneys from section 20.370 (2) (ha) of the statutes, as created by this act, before July 1, 1989, to take any remedial action, as provided under section 144.76 of the statutes, if the department of natural resources exhausts all other reimbursement options, including, but not limited to, obtaining federal funds or using other existing state funds.~~

~~(c) Notwithstanding section 15.347 (14) of the statutes, as created by this act, the members of the petroleum storage environmental cleanup council initially appointed under section 15.347 (14) of the statutes, as created by this act, shall be appointed as follows:~~

- ~~1. Three members shall serve for terms which shall expire on July 1, 1989.~~
- ~~2. Four members shall serve for terms which shall expire on July 1, 1991.~~

(3b) AIR TOXICS POSITION. Of the amount appropriated to the department of natural resources under section 20.370 (2) (ma) of the statutes, \$32,000 for 1.0 FTE GPR position may not be expended for fiscal year 1987-88 and \$61,600 may not be expended for fiscal year 1988-89 until the secretary of administration determines that proposed hazardous air contamination rules have been promulgated by the department of natural resources under section 144.375 (5) of the statutes.

(3c) ENVIRONMENT AIDS; WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANTS, 1987-88 FISCAL

YEAR. During the 1987-88 fiscal year, from the appropriation under section 20.370 (4) (ce) of the statutes, the department of natural resources shall provide \$100,000 for grants authorized under 1985 Wisconsin Act 29, section 3039 (6), notwithstanding eligibility requirements and limitations under section 144.799 (4) (f) of the statutes, as created by this act, and section 144.799 (5) (b) of the statutes. If funds under this subsection are not encumbered by June 30, 1988, the department may make these funds available for grants under section 144.799 (5) (b) of the statutes.

(3h) WATER WITHDRAWAL FEES. The department of natural resources shall propose a fee structure for water withdrawal fees under section 144.026 (10) (a) 5 of the statutes, as affected by this act, which would appropriately fund the water withdrawal program under section 144.026 (3) to (8), (10), (11) and (12) of the statutes, as affected by this act, and section 144.976 of the statutes and shall submit the proposed fee structure with its submissions for inclusion in the 1989-91 executive budget bill.

(4i) GRANT AWARDS FOR POINT SOURCE POLLUTION ABATEMENT. For the purposes of a grant award under section 144.24 of the statutes, as affected by this act, any project which is eligible under section 144.24 (4) (b) 1. c of the statutes, as created by this act, shall be treated as follows:

(a) The project shall be considered as a separate project if by July 31, 1987, or 30 days after the effective date of this paragraph, whichever is later, the municipality submits an application as provided in section 144.24 of the statutes, as affected by this act.

(b) If a project meets all applicable criteria for a grant under section 144.24 of the statutes, as affected by this act, on July 31, 1987, then the project shall be treated as if the following conditions had been met:

1. The municipality had provided notice under section 144.24 (6) (a) of the statutes on or before January 1, 1986, for the project; and

2. The municipality had been issued a notice on or before December 31, 1986, from the department of natural resources under section 144.24 (6) of the statutes that the department of natural resources was ready to allocate funds for the project.

(6d) STUDY OF BAN ON SALE OF CLEANING AGENTS WITH A SIGNIFICANT PHOSPHOROUS CONTENT.

(a) By January 30, 1988, the department of natural resources shall study the status of restrictions under section 100.28 of the statutes, on the sale of cleaning agents and water conditioners containing phosphorous pursuant to section 100.28 of the statutes. The study shall include:

1. A determination of the effectiveness of section 100.28 of the statutes and any rules promulgated to enforce that section in improving water quality.

2. Projected long-term impacts on water quality of section 100.28 of the statutes.

3. A determination of potential impacts of the alteration of restrictions under section 100.28 of the statutes and any rules promulgated to enforce that section associated with making existing restrictions more stringent or repealing existing restrictions on environmental quality in this state.

4. A determination of the ability of the department of natural resources to determine geographic regions in this state where it would be feasible to ease restrictions under current section 100.28 of the statutes, without environmental degradation.

5. The ability of the department of natural resources to enforce restrictions differing by geographic regions.

(b) The department of natural resources shall also study:

1. The impact of the release of phosphorous into the environment from the use of cleaning agents and water conditioners containing phosphorus.

2. The problem of the formation of organophosphates in the waters of the states as a result of synergistic reactions.

3. The cost savings realized by sewage treatment facilities as a result of the implementation of section 100.28 of the statutes.

(c) By January 30, 1988, the department of natural resources shall submit the report under paragraph (a) to the presiding officer of each house of the legislature for referral to the appropriate standing committee under section 13.172 (3) of the statutes.

~~(6g) WATER QUALITY STUDY.~~

~~(a) The department of natural resources shall conduct a study on the effect of cranberry operations on water quality in this state, limited to the counties of Jackson, Monroe, Sawyer, Washburn and Wood, and shall report its findings to the presiding officer of each house of the legislature by January 1, 1990.~~

~~(b) Of the moneys appropriated to the department of natural resources under section 20.370 (4) (bu) of the statutes, as affected by this act, for recreational boating projects, \$50,000 in fiscal year 1987-88 and \$50,000 in fiscal year 1988-89 shall be allocated to conduct the study required under paragraph (a). Funds expended under this paragraph shall be considered to be funds expended for inland waters projects under section 33.40 (3) (b) 5 of the statutes, as created by this act.~~

~~(6x) TOXIC SUBSTANCES REDUCTION AND ECONOMIC REINDUSTRIALIZATION REPORT.~~

~~(a) In this subsection, "reduction of toxic or hazardous materials" means:~~

- ~~1. Changes in the use of raw materials.~~
- ~~2. Changes in production technology and equipment.~~
- ~~3. Improvements in production operations and procedures.~~
- ~~4. Recycling and reuse of materials at the site of the commercial or industrial operation.~~

5. Redesigning or reformulating end products.

(b) By January 1, 1989, the department of natural resources, in cooperation with the department of development, shall prepare a report on the potential for commercial and industrial operations to reduce toxic or hazardous materials used in commercial and industrial operations, including but not limited to any carcinogen, teratogen, mutagen, poison, corrosive material, strong sensitizer, flammable material or explosive.

(c) In outlining the potential for reduction of toxic and hazardous materials under paragraph (b), the report shall also outline:

1. Potential improvements in industrial efficiency and competitiveness in this state.

2. Administrative and legislative approaches to accomplish cost-effective reductions of toxic and hazardous materials.

(d) By January 1, 1989, the department of natural resources shall submit the report under paragraph (b) to the following:

1. The governor.

2. The chief clerk of each house of the legislature, for distribution to the appropriate standing committees.

3. Interested trade associations, technical societies, labor federations, and environmental organizations, as determined by the department of natural resources, or upon request.

~~(7b) LAKE SHORE IMPROVEMENT PROJECTS. Of the moneys appropriated to the department of natural resources under section 20.370 (4) (bu) of the statutes, as affected by this act, for recreational boating projects, \$93,440 in fiscal year 1987-88 shall be allocated to island city lake shore improvement projects for lakes located in counties with a population of more than 30,000 and less than 40,000 and which are bounded on the east by counties with a population of more than 5,000 and less than 10,000. Funds expended for this purpose shall be considered to be funds expended for inland waters projects under section 33.40 (3) (b) 5 of the statutes, as created by this act.~~

~~(7c) FOX RIVER SEDIMENT SAMPLING AND MAPPING. State funding of sediment sampling and mapping of the Fox river under section 20.370 (1) (da) of the statutes shall be expended only to the extent to match federal funding at the rate of 50%.~~

~~(7m) WASTE TIRE REMOVAL AND RECYCLING.~~

~~(a) The department of natural resources shall establish a committee under section 15.04 (1) (c) of the statutes to advise the department of natural resources in developing the plan required under section 144.798 (2) of the statutes, as created by this act. The committee shall include the secretary of natural resources, the secretary of development, the secretary of transportation and the executive director of the Wisconsin housing and economic development authority or their designees.~~

Vetoed
in Part

Vetoed
in Part

**Vetoed
in Part**

(b) The department of natural resources shall submit the proposed rules required under section 144.798 (2) and (3) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 7th month after the effective date of this paragraph.

(8p) INITIAL REPORT. Notwithstanding section 144.40 (2) of the statutes, as created by this act, the department of natural resources shall prepare the annual report for the 1987 calendar year under section 144.40 (2) of the statutes, as created by this act, within 60 days after the effective date of this subsection.

(8q) AIR POLLUTION CONTROL COUNCIL. Notwithstanding section 15.347 (6) of the statutes, as affected by this act, of the 7 members appointed to the air pollution control council, at least one member who represents the owners or operators of one or more stationary sources that emit volatile organic compounds in the volatile organic compound accommodation area, as defined in section 144.30 (25) of the statutes, as created by this act, shall be appointed to replace a member whose term expires on July 1, 1988, and at least one member who represents an environmental group shall be appointed to replace a member whose term expires on July 1, 1988.

(8r) RULES. The department of natural resources shall submit the proposed rules required under section 144.40 (3) of the statutes, as created by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 9th month beginning after the effective date of this subsection.

(8s) STAGE 2 VAPOR RECOVERY AND REID VAPOR PRESSURE STUDY.

(a) In this subsection:

1. 'Reid vapor pressure' means the vapor pressure of automotive gasoline established by the department of industry, labor and human relations under section 168.04 of the statutes.

2. 'Stage 2 vapor recovery' means the transfer to a stationary gasoline storage tank of gasoline vapors displaced from a motor vehicle gasoline tank during the dispensing of gasoline to the motor vehicle.

(b) By January 1, 1988, the department of natural resources, in cooperation with the department of industry, labor and human relations and after consultation with persons representing environmental groups and automotive gasoline manufacturers, distributors and retailers, shall prepare a report which recommends whether legislation should be enacted to:

1. Require that gasoline dispensing facilities in the volatile organic compound accommodation area, as defined in section 144.30 (25) of the statutes, as created by this act, install stage 2 vapor recovery equipment; or

2. Require the lowering of reid vapor pressure of automotive gasoline sold in the volatile organic compound accommodation area, as defined in section 144.30 (25) of the statutes, as created by this act, dur-

ing periods when there is a high probability that the national ambient air quality standard for ozone, as determined under the federal clean air act, 42 USC 7401 to 7642, and regulations issued by the federal environmental protection agency under that act, will be violated.

(c) The recommendation in the report under paragraph (b) shall include the following:

1. Limitations to the applicability of any recommended requirements or restrictions.

2. A fiscal estimate of each legislative alternative.

3. Proposed sources of funding for the recommended legislative alternative.

4. An estimate of the contribution to the growth accommodation, as defined under section 144.30 (14m) of the statutes, as created by this act, that would be made by each legislative alternative.

(d) In developing the recommendation in the report under paragraph (b), the department of natural resources may consider:

1. Relevant actions of the federal environmental protection agency or of congress.

2. The ease of implementation of any requirements or restrictions.

3. The period of time necessary to implement any requirements or restrictions.

4. Enforcement costs for any requirements or restrictions.

5. Compliance costs for any requirements or restrictions to persons located in this state.

(e) By January 1, 1988, the department of natural resources shall submit the report under paragraph (b) to the following:

1. The governor.

2. The chief clerk of each house of the legislature for distribution to the appropriate standing committees under section 13.172 (3) of the statutes.

~~(9c) WATERFRONT PROJECTS. Notwithstanding section 23.09 (25) (e) of the statutes, as affected by this act, of the moneys appropriated to the department of natural resources under section 20.379 (4) (bp) of the statutes, as affected by this act, for waterfront park aids, \$125,000 in fiscal year 1987-88 shall be allocated for waterfront redevelopment construction projects in connection with this state's coastal zone management program under 16 USC 1454.~~

(10f) ACQUISITION OF SOO LINE PROPERTY. The department of natural resources, acting according to its authority under section 23.09 (2) (d) of the statutes, shall acquire by gift from the Soo Line Railroad company any abandoned Soo Line Railroad company property located in counties which have a population of at least 40,000 and which are bounded on the west by the state of Minnesota. The department of natural resources shall hold this property in trust for the state until the county in which the property is located is prepared to develop the property, but not beyond June 30, 1989.

**Vetoed
in Part**

Vetoed in Part (10x) ~~IN-PLACE POLLUTANT AND RIVER CLEANUP.~~
(a) ~~The department of natural resources shall administer an in-place pollutant and river cleanup program for the Milwaukee and Sheboygan rivers during fiscal years 1987-88 and 1988-89.~~
(b) ~~By July 1, 1989, the department of natural resources shall submit a report outlining the activities of the in-place pollutant and river cleanup program to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees.~~

Vetoed in Part (11m) ~~ELECTED COMMISSIONERS.~~ Notwithstanding section 33.44 (2) (e) of the statutes, as created by this act, the first commissioner of the Yahara watershed management district elected under section 33.44 (2) (c) of the statutes, as created by this act, shall be elected for a term expiring on June 1, 1989, the 2nd commissioner of the Yahara watershed management district elected under section 33.44 (2) (c) of the statutes, as created by this act, shall reside in unincorporated territory within the management district and shall be elected for a term expiring on June 1, 1990, and the 3rd commissioner of the Yahara watershed management district elected under section 33.44 (2) (c) of the statutes, as created by this act, shall be elected for a term expiring on June 1, 1991.

(11x) ~~APPOINTED COMMISSIONERS.~~ Notwithstanding section 33.44 (2) (a) and (b) of the statutes, as created by this act, the first commissioner of the Yahara watershed management district appointed under section 33.44 (2) (a) of the statutes, as created by this act, shall be appointed for a term expiring on June 1, 1990, and the first commissioner of the Yahara watershed management district appointed under section 33.44 (2) (b) of the statutes, as created by this act, shall be appointed for a term expiring on June 1, 1989.

Vetoed in Part (13m) ~~SCENIC URBAN WATERWAYS.~~ Notwithstanding sections 20.370 (4) (d) and 30.275 of the statutes, as affected by this act, of the moneys appropriated to the department of natural resources under section 20.370 (4) (d) of the statutes, for scenic urban waterways, \$100,000 in fiscal year 1987-88 and \$100,000 in fiscal year 1988-89 shall be allocated to provide grants to municipalities for activities relating to the Illinois Fox river and its watershed.

SECTION 3043. Nonstatutory provisions; public defender board.

(2g) ~~CASE LOAD STANDARDS.~~ At the trial level, at least 54,433 cases in 1987-88 and 55,629 in 1988-89 shall be handled within the office of the state public defender.

SECTION 3044. Nonstatutory provisions; public instruction.

(2) ~~STATE AID.~~ Notwithstanding section 121.105 (1) of the statutes, as affected by this act, "state aid" for the 1986-87 school year under that section includes payments provided to a school district under section 20.835 (3) (c), 1985 stats.

(4m) ~~GRANTS FOR PRESCHOOL TO GRADE 5 PROGRAMS.~~ The state superintendent of public instruction shall evaluate the overall effectiveness of the preschool to grade 5 programs in improving pupil performance within the individual schools or private service provider's programs which receive funds under section 115.45 of the statutes, as affected by this act. The state superintendent of public instruction shall submit the results of the evaluation and any recommendations relating to the evaluation to the joint committee on finance and the presiding officer of each house for referral to the appropriate standing committees of each house of the legislature by January 1, 1989.

~~(5m) PUPIL PASSENGER SAFETY STANDARDS STUDY.~~ The department of public instruction shall study the effectiveness of pupil passenger safety standards on school buses. The study shall implement a voluntary pilot program to study the use of seat belts on school buses having a gross weight of more than 10,000 pounds. The study shall also include an analysis of existing seat belt use in small school buses and vans, liability issues related to pupil passenger safety and any other factors which are of concern to the Wisconsin association of pupil transportation directors. The department of public instruction shall report the findings of the study to the presiding officers of each house of the legislature for referral to the appropriate standing committees of each house of the legislature by July 1, 1988.

Vetoed in Part

(6g) ~~GRANTS TO STRENGTHEN FAMILY LIFE.~~ In the 1987-88 and 1988-89 fiscal years, the department of public instruction shall establish a program to distribute grants to school districts and local governmental units to be used to sponsor conferences and learning programs for children and adults which focus on leadership, parenting skills, the principles of family responsibility and the importance of stability of marriage and the home as provided for under section 895.22 of the statutes, as affected by this act. The department shall distribute the grants in accordance with the request for proposal procedures established by department rule.

~~(7a) COUNCIL ON SUICIDE PREVENTION.~~ Notwithstanding section 15.377 (7m) of the statutes, as created by this act, one of the initial members of the council on suicide prevention appointed solely by the state superintendent of public instruction and one of the initial members of the council appointed solely by the secretary of health and social services shall be appointed for one-year terms; and one of the initial members of the council appointed solely by the state superintendent of public instruction and one of the initial members of the council appointed solely by the secretary of health and social services shall be appointed for 2-year terms. The other initial members of the council shall be appointed for 3-year terms. Thereafter, all members of the council on suicide prevention shall serve for terms prescribed in section 15.377 (7m) of the statutes, as created by this act.

Vetoed in Part

SECTION 3046. Nonstatutory provisions; regulation and licensing.

(1) RENEWAL FEE PRORATION. Notwithstanding section 440.05 (3) of the statutes, license, permit, certificate or registration renewal fees under sections 441.06 (3), 445.105 (3), 447.08 (3), 448.07 (1) (a), 457.03 (1), 458.02 (7), 458.09 (2) and 458.11 (2) of the statutes, as affected by this act, shall be prorated for the first renewal for which fee payment is due under those statutes following the effective date of this subsection.

SECTION 3047. Nonstatutory provisions; revenue.

(1) TRANSITION; CORPORATIONS.

(a) Each corporation shall calculate, as of the close of its taxable year 1986, the amount that, because of this act, is required to be added to, or subtracted from, income in order to avoid the double inclusion, or omission, of any item of income, loss or deduction, except that the adjustments required to the deductions for depreciation and amortization shall be made under section 71.02 (1) (c) (intro.) of the statutes, as affected by this act. If the amount required to be added or subtracted is \$25,000 or less, the proper amount shall be added or subtracted for taxable year 1987. If the amount required to be added or subtracted is more than \$25,000, it shall be added or subtracted in amounts as nearly equal as possible over the 5 taxable years beginning with 1987, except that if the final taxable year that the corporation is subject to tax under chapter 71 of the statutes, as affected by this act, occurs before the total amount is added or subtracted all of the remaining amount shall be added or subtracted for that final taxable year.

(b) Leases to which section 168 (f) (8) of the internal revenue code, as it existed before repeal by the tax reform act of 1986, applies and any differences between federal and state treatment of income, loss or deduction arising from those leases do not apply for purposes of the taxes under chapter 71 of the statutes.

(c) If changes to the internal revenue code by the tax reform act of 1986 do not apply to a transaction because of section 633 of that act, a corporation may elect to apply to that transaction either the internal revenue code as affected by the tax reform act of 1986 or sections 71.301 to 71.372, 1985 stats.

Vetoed in Part (10s) ~~GREAT LAKES INTERSTATE SALES COMPACT. This state withdraws from, and shall no longer participate in, an agreement denominated as the "Great Lakes Interstate Sales Compact", which the secretary of revenue signed on July 16, 1986. The secretary of revenue is directed to take appropriate action to implement this withdrawal.~~

Vetoed in Part (1d) ~~LEGAL SERVICES. Notwithstanding section 71.02 (2) (d) 12 of the statutes, amounts received from qualified group legal services plans, as defined in section 120 of the internal revenue code as amended to December 31, 1985, may be excluded from gross income in calculating income taxes due under chapter 71 of the statutes for taxable year 1986.~~

(1j) ~~MANUFACTURING MACHINERY AND EQUIPMENT STUDY. The state auditor, the cochairpersons of the joint legislative audit committee, a member of the minority party in each house of the legislature, the department of revenue and the department of administration shall study the property tax exemption under section 70.11 (27) of the statutes and, on or before September 1, 1987, shall report their recommendations about the best way to change that exemption so as to reverse recent court decisions that have expanded it. That report shall be submitted to the chairpersons of the joint legislative audit committee, the joint committee on finance, the assembly ways and means committee and the senate committee on aging, banking, commercial credit and taxation for distribution among the members of those committees.~~

Vetoed in Part

Vetoed in Part

(1k) ELECTRIC COOPERATIVES. Notwithstanding section 76.48 (3a) of the statutes, as affected by this act, the semiannual instalments for the 1988 license fee imposed under section 76.48 (1r) of the statutes, as affected by this act, are due on May 10, 1987, and on November 10, 1987. Instalments paid before the effective date of this subsection shall be credited against the instalments required for the 1988 license fee.

(2) WITHHOLDING STUDY. The department of revenue shall study the possible need for changes in the withholding tables for the individual income tax due to state law changes affecting taxable years 1986 and 1987. Notwithstanding section 71.20 (2m) of the statutes, as affected by this act, adjusted withholding tables may not be issued before the completion of that study.

(3) INHERITANCE AND GIFT TAXES TRANSITION. No person is absolved of inheritance or gift taxes owed and no liens, proceedings or other means of collecting inheritance or gift taxes are affected by this act's treatment of sections 16.007 (6) (b) 2, 66.30 (2m) (e), 71.05 (1) (g), 72.01 (3), (10), (11), (12), (14), (15), (15m) and (17), 72.02, 72.05, 72.06, 72.07, 72.12 to 72.20, 72.21 (3), 72.22 (1), (3) and (4), 72.23 (title), (1) and (2), 72.25, 72.26, 72.28, 72.29, 72.30 (1) (title), (a) and (b), (2), (3) (a), (b), (bm), (c), (d) and (e), (4), (5), (6) and (7), 72.31 (title), (1) and (2) (title), (a), (b) and (c), 72.33 (1), (2) (intro.) and (4), 72.34 (1) to (6), 72.60 to 72.64, 73.03 (20), 75.521 (3) (am) 2, 112.06 (9), 182.24, 601.415 (6), 613.81 (1), 701.09 (3) and (4), 701.20 (12) (d) 5, 705.06 (1) (intro.) and (d), 851.17, 851.70, 859.01 (3), 863.27, 865.16 (1) (b), 865.20 (2), 867.01 (3) (a) 2, (e) and (f), 867.02 (2) (e) and (g) and 867.045 (4), chapter 72 (title) and subchapters I (title), II (title), III (title) and IV of chapter 72 of the statutes and SECTIONS 3200 (47) (a), 3201 (31) (a), (36) (a) and (b) and (53) (a) and 3202 (47) (a) of this act.

(4g) ESTIMATED TAX PAYMENTS. Any increase to required estimated tax payments that would have been due under section 71.21 or 71.22 of the statutes, as affected by this act, before July 1, 1987, solely because of changes affecting income or franchise tax liability

made by this act shall be prorated equally among, and paid with, any payments that are due on or after July 1, 1987, for the 1987 taxable year. Any addition to tax for underpayment of estimated taxes computed under section 71.21 or 71.22 of the statutes, as affected by this act, shall be computed on the basis that tax due for the 1987 taxable year solely because of changes affecting income or franchise tax liability made by this act was required to be included only with instalment payments due on or after July 1, 1987.

Vetoed in Part (4n) ~~MULTISTATE TAX COMMISSION.~~ The department of revenue shall take the action required to include this state as an associate member of the multistate tax commission.

(5g) **IMPORTATION OF FUEL IN VEHICLE TANKS.**

(a) On the effective date of this paragraph, 1.5 FTE permanent positions and the employes occupying them are transferred from the department of revenue to the division of motor vehicles in the department of transportation.

(b) Employes transferred under paragraph (a) to the department of transportation have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes which they enjoyed in the department of revenue immediately before the transfer. Any employe with permanent status in class is not required to serve a probationary period.

(c) On the effective date of this paragraph, all records associated with the positions and functions related to the collection of fuel taxes under section 341.45 of the statutes are transferred to the department of transportation. The department of transportation may conduct such audits of the amounts of fuel taxes required to be paid under section 78.76, 1985 stats., before the effective date of this paragraph as it deems necessary.

(6m) **CERTIFICATION OF TAX INCREMENTAL BASE.** Notwithstanding section 66.46 (4) (a) of the statutes, the department of revenue shall certify under section 66.46 (5) (b) of the statutes the full aggregate value of the taxable property in Wisconsin tax incremental district number 2, located in the village of Union Grove in Racine county, effective January 1, 1985.

(7g) **TAXATION DISTRICT VALUATION CORRECTION.** Notwithstanding section 70.57 (1) of the statutes, the department of revenue may not correct any error in the valuation of a tax incremental district for the 1985 and 1986 tax years if the notice of that error to that tax incremental district was dated August 20, 1986.

Vetoed in Part (7r) ~~OMITTED TAX REVENUES.~~ Omitted tax revenues paid by the federal government because of the creation of section 70.177 of the statutes by 1987 Wisconsin Act 10 shall be divided proportionately, according to the amount of taxes levied, among the taxing jurisdictions that levied those taxes.

SECTION 3052. Nonstatutory provisions; transportation.

(1) **RULE MAKING; TRANSPORTATION FACILITIES ECONOMIC ASSISTANCE AND DEVELOPMENT.** The depart-

ment of transportation shall submit the rules required under section 84.185 (4) of the statutes, as created by this act, in final draft form under section 227.15 (1) of the statutes no later than January 1, 1988.

Vetoed in Part (1c) ~~LOCAL TRANSPORTATION AIDS.~~ Notwithstanding sections 86.30 (2) and 86.303 (5) of the statutes, as affected by this act, for calendar year 1988, the amount of transportation aids paid under section 86.30 of the statutes, as affected by this act, to a county shall be an amount not less than the amount of transportation aids paid to the county for calendar year 1987 under section 86.30 (4), 1985 stats.

Vetoed in Part (1e) ~~SHARED MILEAGE SUPPLEMENTAL AIDS.~~ The department of transportation shall determine the number of miles of roads comprising boundaries between towns and cities or villages for which supplemental aid payments under section 86.30 (2) (e) of the statutes, as affected by this act, are required to be made. The department shall determine which towns, cities and villages are eligible for the payments and shall estimate the respective payment amounts. The department shall report the information specified in this subsection to the chief clerk of each house of the legislature under section 13.172 (2) of the statutes, no later than January 1, 1988.

(1g) **SPECIALIZED TRANSPORTATION ASSISTANCE STUDY.** The department of transportation, in consultation with local authorities and organizations providing transportation services to elderly and handicapped persons, shall conduct a study to evaluate the condition and capacity of specialized vehicles used to provide those services. The study shall examine the factors necessary for the provision of adequate transportation services to elderly and handicapped persons in future years and shall include an analysis of the availability of federal and local funding for the capital assistance necessary for the provision of those services. The department of transportation shall submit its recommendations from the study to the department of administration with its budget request under section 16.42 of the statutes for the executive budget bill to be introduced in 1989.

Vetoed in Part (1m) **TOWN ROADS STUDY.** The department of transportation, in consultation with town officials, shall establish a committee to study town road needs. The study shall include an evaluation of the current mechanisms for establishing priorities for and distributing town road aids. The study shall include an examination of unusual problems affecting town roads, including the impact of the use of heavy vehicles upon town roads. The department shall submit a report of its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, no later than **Vetoed in Part** April 1, 1988.

(1r) **DETOUR STUDY.** The department of transportation shall study the impact on the economy of the state of detours resulting from highway improvement projects and shall identify problems associated with highway detours. The department of transportation shall

Vetoed
in Part

report its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, ~~no later than July 1, 1988.~~

(2c) HARBOR ASSISTANCE; SMALL HARBORS. Notwithstanding section 85.095 (2) of the statutes, from the appropriation under section 20.395 (2) (cq) of the statutes, the department shall allocate during the 1987-89 biennium \$25,000 for the purpose of providing eligible applicants under section 85.095 (1) (a) of the statutes cost-sharing funds, as specified in 23 USC 426i, for the purpose of obtaining funding or other assistance from the U.S. army corps of engineers for dredging projects in small harbors on Lake Superior.

(3g) NOISE BARRIER PROGRAM.

Vetoed
in Part

~~(a) In the 1987-89 biennium, the department of transportation shall expend a total of \$4,000,000 from the appropriations under section 20.395 (3) (gq) and (gx) of the statutes for installation of noise barriers on the interstate highways of this state.~~

~~(am) The department of transportation shall study the problem of traffic noise affecting lands and property in the vicinity of USH 12/18 between Whitney way and Nakoma road in Dane county and shall analyze the cost of installing noise barriers to alleviate that problem. The department shall report its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, no later than January 1, 1988.~~

~~(ar) The department of transportation shall study the problem of traffic noise affecting lands and property in the vicinity of USH 45 between Spokane avenue and Mill road in Milwaukee county and shall analyze the cost of installing noise barriers to alleviate that problem. The department shall report its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, no later than January 1, 1988.~~

(b) The department of transportation shall adopt by rule criteria to be utilized in selecting the highway segments on which noise barriers will be installed and the methods to be used to assure local participation in the siting of noise barriers. The department of transportation shall submit in proposed form the rule required under this paragraph to the legislative council under section 227.15 (1) of the statutes no later than January 1, 1988.

Vetoed
in Part

~~(4m) USH 151 CONSTRUCTION. The department of transportation shall complete the construction of USH 151 between Sun Prairie and that portion of USH 151 designated as the Columbus bypass, in Dane and Columbia counties, no later than December 31, 1990.~~

(6m) HOWARD AVENUE STUDY. The department of transportation shall study the need for, estimate the cost of and identify appropriate funding sources for

construction of Howard avenue between South Pennsylvania avenue and South Lake drive in the city of St. Francis. The department of transportation shall submit a report of its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, no later than June 30, 1989.

(9n) HOULTON-STILLWATER BRIDGE. The department of transportation shall cooperate fully with the Minnesota department of transportation in efforts to complete the replacement of the Houlton-Stillwater bridge, in St. Croix county, Wisconsin, and Washington county, Minnesota.

(12m) USH 151 CORRIDOR STUDY. The department of transportation shall study the traffic volume upon and the projected development needs of lands and property in the vicinity of USH 151 between that portion of USH 151 designated as the Columbus bypass and US 41 near Fond du Lac and shall determine, on the basis of the study, whether that portion of USH 151 specified in this subsection should be improved or reconstructed as a freeway or expressway. The department shall submit its findings and recommendations from the study to the chief clerk of each house of the legislature, under section 13.172 (3) of the statutes, no later than December 31, 1990.

SECTION 3054. Nonstatutory provisions; university of Wisconsin system.

(2b) REPORTS ON INSTRUCTIONAL PLANNING.

(a) The board of regents of the university of Wisconsin system shall require the chancellor of each institution in the university of Wisconsin system to issue a report by January 1, 1988, outlining the institution's plans to revise procedures for allowing a student to add or drop a course after the commencement of a semester, to encourage the most efficient use of campus resources.

(b) By October 15, 1988, the board of regents of the university of Wisconsin system shall prepare a report on the allocation of additional instructional faculty positions authorized by this act. The report shall address the relationship between the allocation of the additional faculty positions to course offerings in fields of study which the board determines to be in high demand. By October 15, 1988, the board of regents shall submit the report under this paragraph to the governor and to the presiding officer of each house of the legislature for referral to the appropriate standing committees.

(2c) MINORITY FACULTY. In recruiting faculty members for fiscal years 1987-88 and 1988-89, the board of regents of the university of Wisconsin system shall make every effort to attract minority faculty members. The board of regents shall set as a goal for hiring faculty to fill the additional faculty positions authorized by this act that 5% of the additional faculty positions created by this act shall be filled by

applicants who are minority group members, as defined in section 560.036 (1) (f) of the statutes.

(2d) FUNDING FOR INSTRUCTION. The board of regents of the university of Wisconsin system may not expend \$6,255,100 of the amount appropriated under section 20.285 (1) (a) of the statutes in fiscal year 1988-89 and \$3,368,100 of the amount appropriated under section 20.285 (1) (im) of the statutes in fiscal year 1988-89 to fund 240.0 FTE GPR positions until the board of regents of the university of Wisconsin system submits a plan by no later than March 15, 1988, to the joint committee on finance and the joint committee on finance approves the plan. The plan shall:

(a) Provide for more efficient use of academic staff to increase course section offerings.

(b) Revise procedures for allowing a student to add or drop a course following the commencement of a semester.

(c) Evaluate faculty productivity and workload.

Vetoed
in Part

~~(d) Incorporate a per credit tuition structure.~~

(e) Provide for the allocation of all new faculty.

(2g) TUITION AWARD PROGRAM.

(a) Notwithstanding section 36.27 of the statutes, in the 1987-88 and 1988-89 academic years, the board of regents of the university of Wisconsin system may annually exempt from nonresident tuition, but not from incidental or other fees, up to 150 students enrolling at the university of Wisconsin-Superior in programs identified by that institution as having surplus capacity. In addition, notwithstanding section 36.27 of the statutes, in the 1987-88 and 1988-89 academic years, the board of regents of the university of Wisconsin system may annually exempt from nonresident tuition, but not from incidental or other fees, up to 200 students at the university of Wisconsin-Parke side enrolling primarily in programs designed for juniors and seniors identified by that institution as having surplus capacity.

Vetoed
in Part

~~(b) A student who receives an exemption from nonresident tuition under paragraph (a) during the 1987-88 and 1988-89 academic years shall continue to receive an exemption from nonresident tuition until the completion of his or her degree program, notwithstanding section 36.27 of the statutes and paragraph (a).~~

(2m) PREPAID TUITION TRUST FUND STUDY.

(a) The investment board, the department of revenue and the university of Wisconsin system shall study financial and administrative issues related to the development of a prepaid tuition trust fund for the university of Wisconsin system.

(b) By November 16, 1988, the investment board, the department of revenue and the university of Wisconsin system shall submit a draft of legislation to establish a prepaid tuition program for the university of Wisconsin system to the presiding officer of each house of the legislature for referral to the appropriate standing committees.

(3b) REPORT ON NEW POSITIONS.

(a) By July 1, 1988, the board of regents of the university of Wisconsin system shall prepare a report containing the following information:

1. The number of newly created positions filled in the 1987-88 fiscal year at the university of Wisconsin system and how the positions were allocated.

2. The number of new course sections created during the 1987-88 fiscal year at the university of Wisconsin system and how the new course sections were used to relieve overcrowding.

(b) The board of regents of the university of Wisconsin system shall submit the report under paragraph (a) to the following:

1. The joint committee on finance.

2. The presiding officer of each house of the legislature for referral to the appropriate standing committee.

(3g) TUITION STUDY. By September 30, 1988, the board of regents of the university of Wisconsin system shall report on a plan for restructuring tuition beginning in the fall semester of the 1989-90 academic year.

~~(3j) COLLEGE PARALLEL CREDIT TRANSFER PLAN.~~

Vetoed
in Part

~~(a) By September 1, 1988, the board of regents of the university of Wisconsin system shall develop a plan for designating college parallel program offerings, as defined in section 36.31 (1) of the statutes, as transferable to system institutions without loss of credit toward graduation.~~

~~(b) By September 1, 1988, the board of regents of the university of Wisconsin system shall submit the plan under paragraph (a) to the chief clerk of each house of the legislature for referral to the appropriate standing committees.~~

(3m) CREDIT TRANSFER. The board of regents of the university of Wisconsin system shall report on proposals to better facilitate the transfer of credit between institutions in the university of Wisconsin system.

~~(4j) ADOLESCENT WOMEN AND NUTRITION PILOT PROGRAM. The university of Wisconsin extension, division of family living education, shall develop a pilot program to study the calcium intake and levels of adolescent women in one rural and one urban school district. The university of Wisconsin extension shall report to the governor and the presiding officer of each house of the legislature on the status of the pilot program by July 1, 1989.~~

Vetoed
in Part

SECTION 3055. Nonstatutory provisions; veterans affairs.

(1m) CLAIMS OFFICE IN SUPERIOR.

(a) Unless the secretary of veterans affairs certifies to the department of administration on or before June 30, 1988, that the U.S. veterans administration is operating an outpatient health clinic in Douglas county, the department of veterans affairs may not fund 1.0 SEG FTE position authorized under this act and may not expend or encumber the following amounts in fiscal year 1987-88:

1. From the appropriation under section 20.485 (2) (b) of the statutes, as affected by this act, \$22,300.

2. From the appropriation under section 20.485 (2) (u) of the statutes, \$22,300.

(b) Unless the secretary of veterans affairs certifies to the department of administration on or before June 30, 1989, that the U.S. veterans administration is operating an outpatient clinic in Douglas county, the department of veterans affairs may not fund 1.0 SEG FTE position authorized under this act and may not expend or encumber the following amounts in fiscal year 1988-89:

1. From the appropriation under section 20.485 (2) (db) of the statutes, as affected by this act, \$29,100.

2. From the appropriation under section 20.485 (2) (u) of the statutes, \$29,100.

SECTION 3056. Nonstatutory provisions; vocational, technical and adult education.

(1f) **EDUCATIONAL APPROVAL BOARD; PROPRIETARY SCHOOL FEES.** The educational approval board may promulgate emergency rules under section 227.24 of the statutes to initially establish fees under section 38.51 (10) (c) of the statutes, as affected by this act, before the educational approval board promulgates rules under section 38.51 (10) (c) of the statutes, as affected by this act, to establish fees.

SECTION 3057. Nonstatutory provisions; other.

(1g) **DEPUTY COMMISSIONER OF SAVINGS AND LOAN.** Notwithstanding section 17.07 (6) of the statutes, the deputy commissioner of savings and loan on the effective date of this subsection may be removed from office by the commissioner of savings and loan, at pleasure.

(1r) **SEA LAMPREY STUDY COMMITTEE.**

(a) *Creation.* There is created a sea lamprey study committee to study the problems caused by sea lampreys entering the state's inland waters and to report its findings to the legislature. The committee shall consist of 7 members appointed by the governor to serve for terms expiring on May 1, 1988. At least one member of the committee shall be appointed to represent the interests of the Lake Superior area and at least one member of the committee shall be appointed to represent the interests of the Lake Michigan area.

(b) *Report.* The committee shall submit a report to the legislature by March 1, 1988, to provide information on the nature and magnitude of the problem caused by sea lampreys and to suggest alternative solutions to the problem for the legislature to consider.

**Vetoed
in Part**

~~(2d) **TERMS OF MEMBERS OF CERTAIN BODIES.** Notwithstanding section 17.07 (6) of the statutes, the chairpersons and members of the transportation projects commission, joint survey committee on debt management, joint survey committee on tax exemptions and state capitol and executive residence board on the effective date of this subsection may be removed from office by the joint committee on legislative organization.~~

(3m) **MINORITY BUSINESS DEMONSTRATION AND TRAINING PROGRAM.** The metropolitan sewerage commission created under section 66.882 of the statutes shall report to the presiding officers of each house of the legislature, for distribution to the appropriate standing committees, no later than July 1, 1988, concerning the status of implementation of the minority business demonstration and training program under section 66.905 of the statutes.

SECTION 3101. Appropriation changes; administration.

(1) **FINANCING OF STATE FACILITY OPERATIONS.**

(a) There is transferred to the appropriation to the department of administration under section 20.505 (5) (ka) of the statutes, as created by this act, the unencumbered balances of the appropriations under sections 20.505 (1) (kf) and 20.867 (1) (g) of the statutes on the effective date of this paragraph.

(b) There is transferred to the appropriation to the department of administration under section 20.505 (5) (kb) of the statutes, as created by this act, the unencumbered balance of the appropriation under section 20.867 (1) (h) of the statutes on the effective date of this paragraph.

(c) There is transferred to the appropriation to the department of administration under section 20.505 (5) (kc) of the statutes, as created by this act, the unencumbered balance of the appropriation under section 20.867 (1) (i) of the statutes on the effective date of this paragraph.

(2) **RECORDS, MICROFILM AND FORMS SERVICES.** On the effective date of this subsection, the unencumbered balance in the appropriation under section 20.505 (1) (kh) of the statutes, as affected by this act, is transferred to the appropriation under section 20.505 (1) (kg) of the statutes, as created by this act.

SECTION 3104. Appropriation changes; agriculture, trade and consumer protection.

(1) **LAND CONSERVATION AND FARMLAND PRESERVATION.**

(a) There is transferred to the department of agriculture, trade and consumer protection under section 20.115 (7) (c) of the statutes, as affected by this act, the unencumbered balance, immediately before the effective date of this paragraph, in the appropriation under section 20.115 (7) (d), 1985 stats.

(b) There is transferred to the department of agriculture, trade and consumer protection under section 20.115 (7) (c) of the statutes, as affected by this act, the unencumbered balance, immediately before the effective date of this paragraph, in the appropriation under section 20.115 (7) (f), 1985 stats.

SECTION 3130. Appropriation changes; industry, labor and human relations.

(1g) **DISLOCATED WORKERS.** When the secretary of industry, labor and human relations notifies the department of administration of the amount of the funds allocated to the state under 29 USC 1651 (b)

and (d) for that fiscal year, there shall lapse to the general fund from the appropriation under section 20.445 (1) (bc) of the statutes, as affected by the acts of 1987, the following amounts:

(a) In fiscal year 1987-88, the amount, if any, that the funds allotted to the state under 29 USC 1651 (b) and (d) in that fiscal year exceed \$3,151,000.

(b) In fiscal year 1988-89, the amount, if any, that the funds allotted to the state under 29 USC 1651 (b) and (d) in that fiscal year exceed \$3,151,000.

(1m) TARGETED JOBS TAX CREDIT PROGRAM. The department of industry, labor and human relations may transfer from the balance of the appropriation under section 20.445 (1) (gf) of the statutes, as created by this act, an amount sufficient to repay the appropriation under section 20.445 (1) (n) of the statutes for the costs in fiscal year 1986-87 of administering the targeted jobs tax credit program under section 51 of the internal revenue code.

SECTION 3131. Appropriation changes; insurance.

(1m) LAPSE TO GENERAL FUND. Notwithstanding section 20.001 (3) (a) of the statutes, on the effective date of this subsection, there shall lapse to the general fund \$400,000 of the unencumbered balance under section 20.145 (1) (g) of the statutes as of June 30, 1987.

SECTION 3140. Appropriation changes; natural resources.

(3) ENVIRONMENT AIDS; NONPOINT SOURCE. There is lapsed to the general fund on the effective date of this subsection from the appropriation to the department of natural resources for fiscal year 1986-87 under section 20.370 (4) (cc) of the statutes, as affected by the acts of 1987, the amount specified by the department of administration but not to exceed the lesser of the unencumbered balance or \$3,450,000.

SECTION 3152. Appropriation changes; transportation.

(1m) TRAFFIC VIOLATION AND REGISTRATION PROGRAM.

(a) In addition to the amount in the schedule for fiscal year 1987-88, the appropriation to the department of transportation under section 20.395 (5) (cq) of the statutes, as affected by the acts of 1987, is increased for fiscal year 1987-88 by an amount equal to the encumbered balance in the appropriation under section 20.395 (5) (cg), 1985 stats., immediately before the effective date of this paragraph.

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) *Federalizing the corporate tax.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	71.04 (16)	none

(am) *Shared revenue.*

(b) All moneys in the appropriation account under section 20.395 (5) (cg), 1985 stats., shall be transferred to the transportation fund on the effective date of this paragraph, immediately before any reversion to the general fund.

(c) For the purpose of closing out accounts, the transfer of funds under paragraph (b) shall be treated as if the transfer occurred on June 30, 1987.

SECTION 3154. Appropriation changes; university of Wisconsin system.

(4) ADULT EDUCATION CENTER. In addition to the amounts in the schedule, the appropriation to the university of Wisconsin system under section 20.285 (1) (h) of the statutes, as affected by the acts of 1987, is increased for fiscal year 1987-88 by an amount equal to the unencumbered balance in the appropriation under section 20.285 (1) (k), 1985 stats., on the day prior to the effective date of this subsection, immediately prior to any reversion to the general fund, for the purpose of funding the adult education center and the positions associated with the center.

SECTION 3200. Terminology changes.

(4) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(am) *Agent status for villages.* Wherever the term "city or county" or "city's or county's" appears in the following sections of the statutes, the term "village, city or county" or "village's, city's or county's", respectively, is substituted: 97.20 (6), 97.26 (1) and (3), 97.28 (1), (5) and (6m), 97.36, 97.38, 97.40 (2) and (3), 97.41 (2), (4), (6), (7) and (9) (a) and 97.415.

(24) HEALTH AND SOCIAL SERVICES.

(am) *Agent status for villages.* Wherever the term "city or county" appears in the following sections of the statutes, the term "village, city or county" is substituted: 50.535 (2) (b), (dm), (g) and (j) 1, 50.54 (1), 66.124 (2) (b) and (c), (3), (4) and (5) (b) 1 and 2 and 140.05 (17) (a).

(47) REVENUE.

(a) *Inheritance taxes.*

1. Wherever the term "subchapter" appears in the following sections of the statutes, the term "chapter" is substituted: 72.11 (2), 72.21 (1) and (2), 72.22 (2) and 72.27.

2. Wherever the term "inheritance" appears in the following sections of the statutes, the term "death" is substituted: 20.566 (1) (a), 862.11, 863.39 (3) (a), 865.11, 867.02 (2) (a) 3 and 868.05 (2).

A	B	C
Statute Sections 15.101 (intro.), as affected by 1985 Wis. Act 29 <i>(c) Aerial photographic survey.</i>	References Deleted 79.02 (4), 79.08 (1)	References Inserted 79.08
Statute Sections 15.101 (intro.) <i>(d) Approval of UW student fees and reserve accumulations.</i>	References Deleted none	References Inserted 85.10
Statute Sections 15.101 (intro.) <i>(g) Sick leave credit conversion.</i>	References Deleted none	References Inserted 36.46
Statute Sections 15.101 (intro.) <i>(hm) Withholding delinquent child support.</i>	References Deleted none	References Inserted 40.05 (4)(bp) 2
Statute Sections 15.101 (intro.) <i>(km) Disability determinations.</i>	References Deleted none	References Inserted 46.255 (4m)
Statute Sections 15.101 (intro.) (3) AGING AND LONG-TERM CARE BOARD. <i>(aj) Long-term care insurance.</i>	References Deleted 46.03 (28)	References Inserted none
Statute Sections 15.101 (12) (4) AGRICULTURE, TRADE AND CONSUMER PROTECTION. <i>(am) Soil and water resource management program.</i>	References Deleted none	References Inserted 146.91 (2)(intro.)
Statute Sections 15.131 (intro.) (16) DEVELOPMENT. <i>(a) Farmland preservation aids.</i>	References Deleted none	References Inserted 144.25
Statute Sections 15.151 (intro.) <i>(bm) Development zones.</i>	References Deleted 91.65	References Inserted none
Statute Sections 15.151 (intro.) (19) EMPLOYE TRUST FUNDS. <i>(ag) Long-term care insurance.</i>	References Deleted none	References Inserted 66.467
Statute Sections 15.161 (intro.) (23) GOVERNOR. <i>(a) Economic adjustment programs.</i>	References Deleted none	References Inserted 146.91 (intro.)
Statute Sections 14.011 (intro.) <i>(ag) Lake Michigan ferry service loan approval.</i>	References Deleted 560.095 (3)(c)	References Inserted none

A	B	C
Statute Sections	References Deleted	References Inserted
14.011 (intro.)	85.097 (3)(b)	none

(24) HEALTH AND SOCIAL SERVICES.

A	B	C
Statute Sections	Old Cross-References	New Cross-References
15.191 (intro.)	15.377 (7)	15.307 (7m)

(cm) Hospital bonding authority.

A	B	C
Statute Sections	References Deleted	References Inserted
15.191 (intro.)	66.521 (2) (k) 7. a	none

(30) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) Federalizing the corporate tax.

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	71.04 (16)	none

(c) Support collection.

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	46.25 (8)	none

(d) Economic adjustment programs.

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	560.095 (3)(c)	none

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	none	165.88 (5)

(31) INSURANCE.

(a) Inheritance taxes.

A	B	C
Statute Sections	References Deleted	References Inserted
15.731	72.28 (1)(c) 1. b	none

(cj) Long-term care insurance.

A	B	C
Statute Sections	References Deleted	References Inserted
15.731	none	146.91 (2)(intro.)

(36) JUSTICE.

(a) Gift taxes.

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	72.86	none

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	none	144.4425 (5)(b)

(b) Inheritance taxes.

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	72.34	none

(ch) Hospital rate-setting commission.

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	54.25	none

(40) NATURAL RESOURCES.

(bm) Nonpoint source water pollution abatement.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

A	B	C
Statute Sections	References Deleted	References Inserted
15.341 (intro.)	92.085 and 92.15 (4)	none

(44) PUBLIC INSTRUCTION.

(a) *Mental health institutes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	none	51.05 (5)

(b) *School aid tax credit.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	79.10 (3)(d)	none

~~(bc) *School attendance requirement study.*~~

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	none	49.50 (7)(im)

**Vetoed
in Part**

(cm) *Adolescent choices project program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.371 (intro.)	none	46.935 (3)

(45) PUBLIC SERVICE COMMISSION.

(am) *Emergency number system funding.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.791	none	146.70 (3)

(47) REVENUE.

(a) *Importation in vehicle tanks.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.431 (intro.)	none	341.45 (1m) and (5)

(48) SAVINGS AND LOAN.

(a) *Deputy commissioner appointment.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.821 (1)	215.02 (1)	none

(52) TRANSPORTATION.

(a) *Local transportation aids.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (1)	86.301 (5)	84.61 (5)

~~(b) *Elimination of transportation projects commission.*~~

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (intro.)	13.400	none

**Vetoed
in Part**

(53) TREASURER.

(a) *Inheritance taxes.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.561	72.34 (1)(b)	none

(54) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Authorized position changes.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (intro.)	none	16.505 (2m)

(b) *Expenditure of federal revenue.*

A	B	C
Statute Sections 15.911 (intro.) (55) VETERANS AFFAIRS. (ac) <i>Additional loans to veterans.</i>	References Deleted none	References Inserted 16.54 (8r)

A	B	C
Statute Sections 15.491 (56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. (a) <i>Economic adjustment programs.</i>	References Deleted 25.17 (3)(bg)	References Inserted none

A	B	C
Statute Sections 15.941 (intro.)	References Deleted 560.095	References Inserted none

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:

(24) HEALTH AND SOCIAL SERVICES.

(ag) *Presumptive medical assistance eligibility.*

A	B	C
Statute Sections 46.206 (1)(bm)	Old Cross-References 49.46 or 49.47	New Cross-References 49.46, 49.465 or 49.47
49.45 (2)(a) 15 and (b) 3	49.46 and 49.47	49.46 to 49.47
49.45 (3)(b)	49.46 or 49.47	49.46, 49.465 or 49.47
49.65 (6)(b)	49.46 or 49.47	49.46, 49.465 or 49.47
632.72	49.46 or 49.47	49.46, 49.465 or 49.47
814.61 (13)	49.46 or 49.47	49.46, 49.465 or 49.47

(47) REVENUE.

(a) *Gift and inheritance taxes.*

A	B	C
Statute Sections 73.01 (4)(a)	Old Cross-References 71.12, 72.86 (4)	New Cross-References 71.12, 72.86 (4), 1985 stats.
185.981 (5)	70.11, 71.01 (3), 72.15 and subch. IV of ch. 72	70.11 and 71.01 (3)
616.10	70.11, 71.01 (3), 72.15 and subch. IV of ch. 72	70.11 and 71.01 (3)
700.24	ss. 71.13 (3)(b), 72.86 (2), ch. 49 or 779	s. 71.13 (3)(b), s. 72.86 (2), 1985 stats., ch. 49 or 779
766.60 (5)(b)	71.13 (3)(b) or 72.86 (2)	71.13 (3)(b)
867.07 (5)	72.31	867.05 (5) and (6)

(ag) *School aid tax credit.*

A	B	C
Statute Sections 71.09 (7)(a) 7 121.085 (1)(a) and (b)	Old Cross-References 79.10 (3) to (5) s. 79.10 (3) and this subchapter	New Cross-References 79.10 this subchapter

(bm) *Homestead credit.*

A	B	C
Statute Sections 71.09 (7)(a) 7, as affected by 1987 Wis. Act (this act), section 1983	Old Cross-References pars. (grm) and (gro)	New Cross-References pars. (grm) to (grp)

Vetoed
in Part

SECTION 3203. **Initial applicability.**

(1) ADMINISTRATION.

(ad) *Disaster recovery aid.* The treatment of section 166.03 (2) (b) 8 of the statutes applies with respect to major disasters as defined in 42 USC 5122 (2) occurring on or after the effective date of this paragraph.

(am) *State-owned rental housing.* The treatment of section 16.004 (8) of the statutes and the creation of section 16.004 (8) (c) of the statutes first apply to the report on rental rates and policies to be submitted in March 1988.

(bn) *State purchasing reciprocity.* The treatment of sections 16.75 (1) (a) and (8), 16.754 (2) and (3) (intro.) and 16.855 (1) of the statutes and the creation of section 16.75 (1) (a) 2 of the statutes first apply to contracts and orders awarded on the effective date of this paragraph.

(9) CHILD ABUSE AND NEGLECT PREVENTION BOARD.

(am) *Birth certificate fees.* The treatment of section 69.22 (1) (c) and (5) (b) 2 of the statutes applies to fees collected on or after the effective date of this paragraph.

(10) CIRCUIT COURTS.

(a) *Court automation fee.* The treatment of section 814.635 of the statutes applies to fees collected on or after the effective date of this paragraph, regardless of when the action or special proceeding was commenced.

(bm) *Paternity actions.* The treatment of sections 767.01 (2), 767.25 (5), 767.45 (5), 767.455 (5), (5g) and (5r), 767.457, 767.458 (2), 767.46 (2) (intro.), 767.465 (2) and (3), 767.48 (1), (1m) and (4) and 767.50 of the statutes and the creation of sections 767.45 (5) (a), 767.457, 767.458 (1m), 767.465 (3) (c), 767.50 (2) and 767.51 (4) of the statutes first apply to paternity actions commenced on the first day of the 3rd month beginning after publication.

Vetoed
in Part

(cg) *Trial dates in certain paternity actions.* The treatment of section 767.49 of the statutes applies to actions commenced on or after the effective date of this paragraph.

Vetoed
in Part

(18) ELECTIONS BOARD.

(ac) *Contribution limitation exclusion.* The treatment of section 11.26 (13m) of the statutes and the creation of section 11.26 (13m) (b) of the statutes apply to expenses incurred on or after July 1, 1986.

(dm) *Political party contribution limitation.* The treatment of section 11.26 (8) (a) of the statutes first applies to the biennium commencing on January 1, 1987.

Vetoed
in Part

(21) EMPLOYMENT RELATIONS DEPARTMENT.

(a) *Hazardous injury pay.* The treatment of section 230.36 (1) of the statutes first applies to a state employe who suffers injury on the effective date of this paragraph.

(cm) *Day care services.* The treatment of section 230.048 (4) (a) of the statutes first applies on the first

day of the 9th month beginning after the effective date of this paragraph, except that with respect to any day care provider under contract with the department of employment relations, on the first day of the 9th month after the effective date of this paragraph, under section 230.048 (1) of the statutes, section 230.048 (4) (a) of the statutes first applies on the day that the contract expires or is extended or renewed.

Vetoed
in Part

Vetoed
in Part

(24) HEALTH AND SOCIAL SERVICES.

(a) *Fees for regulation of establishments.*

1. 'Permit fees.' The treatment of sections 50.53 (1), (1m) and (2m), 50.535 (2) (a) and 140.05 (17) (d) 2. (figure) of the statutes first applies to those initial biennial permits and biennial permit renewals of bed and breakfast establishments and to those initial annual permits and annual permit renewals of all other establishments that have an effective date of July 1, 1987, and to those biennial permit renewals of bed and breakfast establishments that have an effective date of July 1, 1988.

2. 'State fees.' The treatment of section 50.535 (2) (e) of the statutes first applies to initial annual permits, initial biennial permits of bed and breakfast establishments, annual permit renewals and biennial permit renewals of bed and breakfast establishments on January 1, 1988.

Vetoed
in Part

(b) *Relocation funds for community services.* The treatment of section 46.266 of the statutes first applies to a termination of the use of a nursing home bed under section 46.266 (1) (a) of the statutes that occurs on the effective date of this paragraph.

(bg) *Domestic abuse assessments.* The treatment of sections 20.435 (4) (cb) and (hh), 59.20 (5) (b), 59.395 (5), 814.60 (2) (b), 971.37 (1m) (c), 973.05 (1) and (3) (a) and 973.055 (1) and (4) applies to offenses committed on or after the effective date of this paragraph.

(ce) *Foster care insurance claims.* The treatment of section 48.627 (1m), (1s) and (2) (d) and (h) of the statutes applies to claims filed on or after the effective date of this paragraph.

(dm) *Asbestos certification.* The treatment of section 140.06 (2) of the statutes first applies to any person performing an asbestos abatement activity, as defined in section 140.06 (1) (b) of the statutes, as created by this act, an asbestos management activity, as defined in section 140.06 (1) (d) of the statutes, as created by this act, or supervising the performance of an asbestos abatement activity, as defined in section 140.06 (1) (b) of the statutes, as created by this act, on the first day of the 9th month after the effective date of this paragraph.

(ef) *Juvenile waiver.*

1. The treatment of sections 48.18 (title) and (1), 53.18 (7) and 973.013 (3) and (3m) of the statutes applies to offenses committed on or after the effective date of this subdivision.

2. The treatment of section 48.355 (6) of the statutes applies to dispositional orders made on or after the effective date of this subdivision.

(eg) *Extended jurisdiction.* The treatment of section 48.366 of the statutes applies to offenses committed on or after July 1, 1988.

(em) *Paternity actions on behalf of the state.* The treatment of section 767.45 (6m) of the statutes first applies to children whose birth certificates are filed on the first day of the 12th month beginning after publication.

(fm) *Nursing home probationary licenses.* The treatment of section 50.03 (4m) of the statutes first applies to nursing home licenses for which application is made on the effective date of this paragraph.

(fr) *Determination of residency.* The treatment of section 51.40 of the statutes applies to determinations of residency for adults with a developmental disability or mental illness commenced on or after the effective date of this paragraph.

(26) HIGHER EDUCATIONAL AIDS BOARD.

Vetoed in Part (am) *Financial aid.* The treatment of sections 39.30 (3m) (a) and 39.435 (1m) (a) of the statutes first applies to applications for grants for the 1988-89 academic year.

(bg) *Determination of student costs.* The treatment of section 39.31 of the statutes first applies to calculations for the purpose of determining the amount of a grant under section 39.38 of the statutes and sections 39.30, 39.435 and 39.44 of the statutes, as affected by this act, for a student who submits an application to receive grant moneys in the fall semester of the 1988-89 academic year.

Vetoed in Part (30) INDUSTRY, LABOR AND HUMAN RELATIONS

Vetoed in Part (aj) *Master and apprentice.* The treatment of section 106.01 (5) (a), (b) and (d) and (5) of the statutes first applies to an indenture entered into after the effective date of this paragraph or, with respect to indentures entered into under a collective bargaining agreement in conflict with the treatment of sections 106.01 (5) (a), (b) and (d) and (5) of the statutes, on the day after that collective bargaining agreement expires or is extended or renewed.

Vetoed in Part (bi) *Employee protection.* The treatment of section 103.89 of the statutes applies to retaliatory actions occurring on or after the effective date of this paragraph.

(31) INSURANCE.

Vetoed in Part (a) *Assessment reduction.* The treatment of section 619.13 (3) of the statutes first applies to assessments made by the board of governors on the effective date of this paragraph.

Vetoed in Part (bg) *Chiropractic coverage.* The treatment of sections 40.51 (8), 185.981 (1) to (4t), 185.982 (title), (1) and (2), 185.983 (1) (intro.), 609.70, 628.33, 628.36 (2) (b) 5 and 632.87 (1) and (3) (a) to (c) of the statutes first applies to:

1. Insurance policies, plans and contracts, including health care plans, delivered or issued for delivery

in this state on or after the effective date of those sections.

2. Insurance policies, plans and contracts, including health care plans, delivered or issued for delivery in this state before the effective date of those sections when the issuer next has the right to refuse to renew the policy or to change the premium, or one year after the effective date of those sections, whichever is earlier, but do not apply to insurance policies, plans or contracts, including health care plans, issued before the effective date of those sections 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.

(36) JUSTICE.

(a) *Crime victim and witness assistance surcharge.* The treatment of section 973.045 (1) (a) and (b) of the statutes applies to offenses committed on or after the effective date of this paragraph.

(37) LEGISLATURE.

(a) *Statutory cross-references.* The treatment of sections 13.92 (1) (b) 4 and 35.18 (1) of the statutes first applies to statutory cross-references contained in the 1987-88 Wisconsin statutes.

(40) NATURAL RESOURCES.

(a) *Wastewater management fee.* The treatment of section 147.033 (2) of the statutes first applies on January 1, 1988.

(b) *Hunting licenses.* The treatment of section 29.092 (2) (a), (c), (e) to (h), (j), (k) and (L), (4) (a), (6) (a) and (13) (a) to (cm) of the statutes first applies to hunting licenses and stamps, sports licenses, conservation patron licenses, trapping licenses, duplicates of these licenses and of bear harvest permits and issuing fees for conservation patron licenses which are issued for an effective period commencing on or after September 1, 1987. Hunting licenses and stamps, sports licenses, conservation patron licenses, trapping licenses, duplicates of these licenses and of bear harvest permits and issuing fees for conservation patron licenses which are issued for an effective period commencing prior to September 1, 1987, shall be issued in compliance with section 29.092 of the statutes as if this act were not in effect.

(cg) *Fishing licenses.* The treatment of section 29.092 (3) (a), (b), (h) to (L) and (13) (d) of the statutes first applies to fishing licenses and duplicates of these licenses which are issued for an effective period commencing on or after January 1, 1988. Fishing licenses and duplicates of these licenses which are issued for an effective period commencing prior to January 1, 1988, shall be issued in compliance with these sections of the statutes as if this act were not in effect.

(de) *Issuing fees.* The treatment of sections 29.092 (1) (c) and 29.092 (4) (b) and (15) (b) and (c) of the statutes first applies on September 1, 1987, to the issuing fees for licenses which are issued for an effective period commencing on or after September 1, 1987, **Vetoed in Part**

and on January 1, 1988, to the issuing fees for licenses which are issued for an effective period commencing on or after January 1, 1988. Issuing fees for licenses which are issued for an effective period commencing prior to September 1, 1987, shall be issued in compliance with sections ~~29.09 (10)(c) and~~ 29.092 (4) (b) and (15) (b) and (c) of the statutes as if this act were not in effect. Issuing fees for licenses which are issued for an effective period commencing prior to January 1, 1988, shall be issued in compliance with sections ~~29.09 (10)(c) and~~ 29.092 (4) (b) and (15) (b) and (c) of the statutes as if this act were not in effect.

Vetoed in Part

Vetoed in Part

(e) *Air pollution control exemptions.* The treatment of section 144.399 (1) (c) of the statutes first applies to requests submitted on the effective date of this paragraph.

(f) *Air pollution implementation and enforcement fee.* The treatment of section 144.399 (3) (b) of the statutes first applies to implementation and enforcement fees imposed after July 1, 1987.

(gh) *Operating plant environmental discharge fee.* The treatment of section 144.96 (3) (c) of the statutes first applies to fees paid for the 1987 calendar year.

Vetoed in Part

~~(gn) *Environmental repair fee for generators of hazardous waste.* The treatment of sections 25.46 (8) and 144.442 (1s) of the statutes first applies to wastes generated after December 31, 1986.~~

Vetoed in Part

~~(ha) *Landfill siting.* The treatment of section 144.44 (2) (np) of the statutes first applies to any facility which receives approval of a feasibility report under section 144.44 (2) of the statutes, as affected by this act, after the effective date of this paragraph.~~

(hc) *Landfill siting reimbursement.* The treatment of section 144.445 (8) (b) 1m of the statutes first applies to final written agreements negotiated or arbitration awards issued after the effective date of this act.

(44) PUBLIC INSTRUCTION.

Vetoed in Part

~~(ab) *Membership count days.* The treatment of section 121.05 (1) (a) (intro.) and (3) of the statutes first applies to the computation of school district membership for state aids paid in the 1988-89 school year.~~

Vetoed in Part

~~(ad) *Certification of athletic associations.* The treatment of section 115.28 (7s) of the statutes first applies to the certification of athletic associations on the first day of the 1988-89 school year.~~

(ar) *Handicapped aid reimbursement.* The treatment of sections 115.88 (1) (intro.) and (b), (2) and (10), 115.881, 115.93 (1), (1m) and (2) and 118.255 (4) of the statutes first applies to state aids paid in the 1987-88 school year.

(cm) *Computation of primary ceiling costs.* The treatment of section 121.07 (6) (b) of the statutes first applies for state aids paid in the 1987-88 school year.

(dm) *State aid to county handicapped children's education boards.* The treatment of section 121.135 (1) and (2) of the statutes first applies to state aid paid in the 1987-88 fiscal year.

(47) REVENUE.

(a) *Homestead credit, technical.* The treatment of section 71.09 (7) (a) 1, 2, 3, 6, 7 (in respect to everything except marital property) and 8, (b), (c), (gz) 1 and 2, (j), (r) and (s) of the statutes first applies to claims filed in calendar year 1988 and based on property taxes accrued or rent constituting property taxes accrued during calendar year 1987.

(am) *Corporate payroll factor.* The treatment of section 71.07 (2) (b) and (c) 3 of the statutes first applies to taxable year 1987.

(b) *Homestead credit, obsolete.* The treatment of section 71.09 (7) (gn) to (gr), (gs) and (h) 1 to 4 of the statutes first applies to taxable year 1989.

~~(bn) *Homestead credit, formula change.* Section 3202 (47) (bn) of this act first applies to taxable year 1988.~~

Vetoed in Part

(c) *Proceeds of tax sales.* The treatment of sections 74.39, 74.46 (3), 75.34 (3), 75.35 (5), (6) and (7) and 75.67 (4) of the statutes first applies to sales of property acquired by counties on the effective date of this paragraph.

(cm) *Elderly property tax deferral.* The treatment of section 77.65 (3) of the statutes first applies to policies issued on the first day of the 2nd month beginning after the effective date of this paragraph.

(df) *Trusts and estates, deduction for taxes.* The treatment of section 71.05 (1) (a) 30 of the statutes first applies to taxable year 1987.

(dg) *Farmland preservation credit.* The treatment of section 71.09 (11) (a) 6. a and b ~~(by Section 1407a) and 7 (b) Section 1407sp) and (bn)~~ of the statutes first applies to claims filed for taxable year 1987.

Vetoed in Part

Vetoed in Part

(e) *Local purpose revenues.* The treatment of section 79.03 (3) (b) 4. (intro.), a, c to e, g and h and 7 of the statutes first applies to the definition of local purpose revenues for fiscal year 1988, which is used to calculate the aidable revenues component of shared revenue to be distributed in 1990.

(em) *Estate's administrative expenses, income tax.* The treatment of section 71.05 (1) (a) 28 and (b) 13 of the statutes first applies to returns filed in regard to deaths occurring on the effective date of this paragraph.

(f) *Transportation services.* The treatment of section 71.07 (2) (d) 2 of the statutes first applies to taxable year 1987.

(fm) *Standardized valuation per person.* The treatment of section 79.03 (3) (b) 6 of the statutes first applies to the calculation of entitlements allocated in 1988.

(g) *Telephone companies' delinquent payments.* The treatment of section 76.38 (12) (a) of the statutes first applies to additional fees notice of which is given on the effective date of this paragraph.

(gm) *Iron ore tax.* The treatment of section 70.40 (3) (in respect to the disbursement of the revenue) of the statutes first applies to taxes payable in 1987.

(h) *Use tax exemption for registered property.* The treatment of section 77.53 (18) of the statutes first applies to property registered on the effective date of this paragraph.

**Vetoed
in Part**

~~(hm) *Handicapped access credit.* The treatment of sections 71.09 (12h) and 71.65 (1) (e) and (2) (cm) of the statutes first applies to taxable year 1987.~~

(i) *Additions to income.* The treatment of section 71.05 (1) (a) 29 of the statutes first applies to taxable year 1987.

(j) *Estimated taxes.*

1. The treatment of sections 71.014, 71.21 (title), (1) (in respect to the minimum tax and the dollar amount), (1m) (a), (am) and (b), (2), (3), (5) (intro.), (a) to (c), (d) and (e), (7), (8), (11) to (13), (14) (a), (b) and (c), (15), (16), (18), (19) (a) to (c) and (20), 71.22 and 71.23 of the statutes first applies to taxable year 1988.

2. The treatment of section 71.21 (14) (bm) of the statutes first applies to taxable years that begin on the first day of the first month beginning after the effective date of this subdivision.

(L) *Gift, travel and entertainment deductions.*

1. The repeal of sections 71.01 (4) (a) 6m and 71.05 (1) (a) 27 of the statutes first applies to taxable year 1987.

2. The amendment of sections 71.01 (4) (a) 6m. a to g, 71.04 (2) (b) 11 to 17 and 71.05 (1) (a) 27. a and c to g of the statutes first applies to taxable year 1986.

(m) *Internal revenue code; inheritance tax.* The amendment of sections 72.01 (17), 72.12 (4) (c) 1 and 72.22 (4) (a) of the statutes first applies to transfers because of deaths occurring on the effective date of this paragraph.

(n) *Individual federalization.*

1. The treatment of sections 71.05 (1) (a) 7 and 17 and (b) 4, 71.11 (44m) and 71.21 (1) (in respect to estates and persons on active duty) of the statutes first applies to taxable year 1987.

2. The amendment of section 71.05 (1) (a) 26 of the statutes first applies to taxable year 1986.

(o) *Interest income.* The treatment of section 71.05 (1) (a) 1 of the statutes first applies to bonds issued after January 28, 1987.

**Vetoed
in Part**

~~(og) *Exports.* The treatment of section 71.102 of the statutes first applies to taxable year 1987.~~

**Vetoed
in Part**

~~(ok) *Claim of right credit.* The treatment of sections 71.09 (6r) (a) 6 and (12cr) and 71.65 (1) (l) (as it relates to claim of right credit under section 71.09 (12cr) of the statutes) of the statutes first applies to taxable year 1985.~~

(p) *Itemized deduction credit for interest.* The treatment of section 71.05 (1) (b) 1 of the statutes and the repeal and recreation of section 71.09 (6r) (a) of the statutes first apply to taxable year 1987.

(q) *Itemized deduction credit.* The treatment of section 71.09 (6r) (b) and (d) of the statutes first applies to taxable year 1987.

(r) *Alternative minimum tax.* The treatment of sections 71.60 (4) and (5) and 71.65 (1) (g) of the statutes and the repeal and recreation of section 71.60 (1) of the statutes first apply to taxable year 1987.

(s) *Partnership income.* The treatment of section 71.07 (1g) of the statutes first applies to any partner's taxable year 1987.

(u) *Two-earners' credit.* The treatment of section 71.09 (7m) of the statutes first applies to taxable year 1987.

(w) *Fiduciaries.* The treatment of section 71.08 (1) of the statutes first applies to taxable year 1987.

(x) *Contributions to cemeteries.* The treatment of sections 72.15 (1) (a) 2 and 72.17 (4) (b) of the statutes first applies to transfers because of deaths occurring on the effective date of this paragraph.

(xcm) *Telephone companies.* The treatment of section 76.38 (1) (aa), (ac) (by SECTION 1563tma) and (b) and (2) (a) of the statutes first applies to fees assessed on May 1, 1989.

(xg) *Capital gains.* The treatment of section 71.05 (1) (b) 16 and (f) 4 of the statutes first applies to taxable year 1987.

~~(xp) *Well contamination.* The treatment of section 71.01 (3) (g) of the statutes first applies to taxable year 1987.~~

**Vetoed
in Part**

~~(xt) *Corporate minimum tax.* The treatment of sections 71.61 and 71.65 (2) (h) of the statutes first applies to taxable year 1987.~~

**Vetoed
in Part**

(y) *Federalizing the corporate tax; general issues.* The treatment of sections 70.375 (4) (e) and (k) (intro.), 70.40 (3) (in respect to the cross-reference change), 70.41 (3), 70.415 (3), 70.42 (3), 70.421 (3), 71.01 (1), (2) and (4) (a) (intro.), 2, 6g, 7 and 9 and (g) 7 to 10, 71.02 (1) (intro.), (b), (bc), (bg), (bi), (c) (intro.) and 8 to 12, (d), (dm), (fm) and (m) and (2) (intro.), 71.03 (title), (1), (2) (a), (b) and (f), (5) and (6), 71.035, 71.041, 71.043 (1) and (2), 71.045, 71.046, 71.047, 71.05 (2r), (2t) and (2u), 71.06 (1), 71.07 (2) (intro.) and (cr) 8, 71.09 (2h), (2n) and (11) (a) 6. b (by SECTION 1407am) and (13) (cm), 71.10 (1) (am), (3m) (a), (5) (a) and (10) (a) and (bn), 71.11 (8) (a) and (b), (8m), (9) and (21) (g) 2, 71.135 (1m) and (3), 71.301 to 71.372, 77.51 (14g) (g), 97.28 (2m) (e) and 895.51 (1) (b) of the statutes and the repeal of section 71.04 of the statutes first apply to taxable year 1987.

(za) *Federalizing the corporate tax; depreciation.* The treatment of sections 71.01 (4) (g) 11 and 71.02 (1) (c) (intro.) of the statutes (as they apply to the computation of the deductions for depreciation and amortization and basis) first applies to property first placed in service on January 1, 1987.

(zb) *Tax-option corporations.* The treatment of sections 71.016, 71.02 (1) (g), 71.042 (1) to (5), 71.043 (3g), 71.05 (1) (b) (intro.) and (f) 3, 71.07 (1) and (2m), 71.09 (8) (c) and 71.10 (1) (d) and (3m) (c) of the statutes first applies to any tax-option corporation's 1987 taxable year and to any shareholder's taxable year 1987, or 1988, as appropriate to conform the share-

holder's treatment of income, loss or deduction to the tax-option corporation's treatment.

(zc) *Marital property.* The treatment of sections 71.01 (1g), 71.05 (1) (b) 8m and (gm), 71.09 (7) (a) 7 (in regard to marital property) and (11) (a) 7 (by SECTION 1407cm), 71.11 (21) (f), 71.20 (25) and 73.01 (4) (i) of the statutes first applies to taxable year 1986.

(ze) *Small tax refunds and balances.* The treatment of section 71.10 (9) (f) and (10) (c) of the statutes first applies to taxable year 1987.

(zf) *Inheritance and gift taxes.*

1. The treatment of sections 16.007 (6) (b) 2, 66.30 (2m) (e), 72.01 (3), (10), (11), (12), (14), (15) and (15m), 72.02, 72.05, 72.06, 72.07, 72.21 (3), 72.22 (1) and (3), 72.23 (title), (1) and (2), 72.25, 72.26, 72.28, 72.29, 72.30 (1) (title), (a) and (b), (2), (3) (a), (b), (bm), (c), (d) and (e), (4), (5), (6) and (7), 72.31 (title), (1) and (2) (title), (a), (b) and (c), 72.33 (1), (2) (intro.) and (4), 72.34 (1) to (6), 72.60 to 72.64, 73.03 (20), 75.521 (3) (am) 2, 112.06 (9), 182.24, 601.415 (6), 613.81 (by SECTION 2099ga), 701.09 (3) and (4), 701.20 (12) (d) 5, 705.06 (1) (intro.) and (d), 851.17, 851.70, 859.01 (3), 863.27, 865.16 (1) (b), 865.20 (2), 867.01 (3) (a) 2, (e) and (f), 867.02 (2) (e) and (g), 867.045 (4) and 893.33 (5), chapter 72 (title) and subchapters I (title), II (title) and III (title) of chapter 72 of the statutes, the repeal of sections 72.01 (17), 72.12 to 72.20 and 72.22 (4) and subchapter IV of chapter 72 of the statutes, the repeal and recreation of section 71.05 (1g) of the statutes and SECTIONS 3047 (3), 3200 (47) (a), 3201 (31) (a), (36) (a) and (b) and (53) (a) and 3202 (47) (a) of this act first apply to transfers because of deaths occurring on January 1, 1992, and to gifts made on January 1, 1992.

2. The amendment of section 72.18 (intro.) of the statutes first applies to transfers because of deaths occurring on January 1, 1988.

3. The amendment of section 72.83 of the statutes first applies to transfers occurring on January 1, 1988.

(zg) *Basis adjustment.* The amendment of section 71.05 (1) (g) of the statutes first applies to transfers because of deaths occurring on the effective date of this paragraph.

(zh) *Insurers' depreciation.* The treatment of section 71.01 (4) (a) 6j of the statutes first applies to taxable year 1987.

(zj) *Order of computations.* The treatment of section 71.65 (1) (fm) of the statutes first applies to taxable year 1987.

(zk) *Minimum tax.* The amendment of section 71.60 (1) of the statutes first applies to taxable year 1986.

(zm) *Information returns.* The treatment of sections 71.10 (1) (a) and (15) and 71.11 (25) of the statutes first applies to taxable year 1987.

(zn) *Unemployment compensation.* The treatment of section 71.05 (1) (b) 15 and (km) of the statutes first applies to taxable year 1987.

(zp) *Cross-reference changes.* The treatment of sections 71.02 (2) (eg) and 71.09 (6p) (b), (12r) (a) (by SECTION 1410e) and (b) and (12rf) (a) of the statutes first applies to taxable year 1987.

(zpa) *Small business stock.* The treatment of section 71.02 (2) (fr) (intro.), 3 and 5 of the statutes first applies to stock acquired 30 days after the effective date of this paragraph.

(zu) *Insurers' tax limit.* The treatment of section 71.01 (4) (h) of the statutes first applies to taxable year 1987.

(zv) *School property tax credit.* The treatment of section 71.53 of the statutes first applies to taxable year 1987.

(zw) *Insurers' losses.* The treatment of sections 71.01 (4) (a) 10 and (b) 1 and 71.06 (3) of the statutes first applies to losses incurred during taxable years ending after June 30, 1987, and for returns filed for taxable year 1987 and thereafter.

~~(zxx) *Development zones.* The treatment of sections 71.01 (3) (e), 71.09 (12e) and 71.65 (1) (l) (as it relates to employee tax credit under section 71.09 (12e) of the statutes) and (2) (g) of the statutes first applies to taxable year 1987.~~

Vetoed
in Part

(52) TRANSPORTATION.

(a) *Local transportation aids.*

1. The treatment of sections 86.30 (1), (2) (a), (b) 1, 1g, 1r and 2, (d) and (e), (4) and (6m), 86.303 (1) to (4) and 86.304 of the statutes first applies to transportation aid payments for calendar year 1988.

~~1m. The treatment of section 86.30 (2) (b) 1c and (c) of the statutes first applies to transportation aid payments for calendar year 1989.~~

Vetoed
in Part

2. The treatment of section 86.303 (5) (e) and (f) 1 and 2 of the statutes first applies to reductions in transportation aids for calendar year 1989.

(am) *Minority civil engineer loan repayment incentive grant program.* The treatment of section 85.107 (3) (b) of the statutes first applies to minority civil engineers who begin employment with the department of transportation on the effective date of this paragraph.

(bd) *Rail crossing protection costs.* The treatment of section 195.28 (3) of the statutes applies to claims for reimbursement for the costs of maintaining rail crossing protection devices for which there is no reimbursement agreement between the department of transportation and a railroad on the effective date of this paragraph.

~~(bn) *Mass transit aids.* The treatment of section 85.20 (4m) (a) and (em) 1 of the statutes first applies to urban mass transit operating assistance contracts for calendar year 1988 executed between the department of transportation and eligible applicants on the effective date of this paragraph.~~

Vetoed
in Part

(cb) *Railroad rehabilitation and construction grants.* The treatment of section 85.08 (4m) (d) of the statutes first applies to costs incurred on June 1, 1987, for con-

struction projects related to providing industry access to a rail line.

(fm) *Claims for freight charges.* The treatment of section 194.03 (5m) of the statutes applies to claims for freight charges which are pending on the effective date of this paragraph.

(54) UNIVERSITY OF WISCONSIN SYSTEM.

(aj) *Doctoral student loans.* The treatment of section 36.42 of the statutes first applies to educational loans for the fall semester of the 1988-89 academic year.

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(ag) *Educational approval board; proprietary school fees.* The treatment of section 38.51 (10) (c) of the statutes first applies to any application for initial approval of a proprietary school or course of instruction, to any application for approval of a teaching location or change of ownership or control of a school, to any application for renewal of approval of a school or reinstatement of approval of a school or course of instruction which has been revoked received by the educational approval board on the effective date of this paragraph.

(am) *Fees and tuition.* The treatment of section 38.24 (1) (a) of the statutes first applies to fees paid for the fall 1987 semester in the 1987-88 academic year.

(57) OTHER.

(bn) *Worthless check offenses.* The treatment of section 943.24 (1) of the statutes applies to offenses occurring on or after the effective date of this paragraph, but does not preclude the counting of other violations as prior violations under section 943.24 (1) of the statutes.

Vetoed in Part

(cg) *Facility user surcharge.* The treatment of section 66.755 of the statutes applies to any city cost incurred on or after January 1, 1986.

Vetoed in Part

(dn) *Mayoral appointments in 1st class cities.* The treatment of sections 30.37 (3m), 66.143, 66.144, 66.146 and 141.02 (5) of the statutes and of chapter 184, laws of 1974, CHAPTER XVIII, section 2 first applies to a public office, as defined in section 66.146 (1) (a) of the statutes, as created by this act, when a vacancy occurs in that public office.

Vetoed in Part

(dx) *Medical care of prisoners.* The treatment of section 53.38 of the statutes and the creation of section 53.38 (3) of the statutes applies to costs incurred on or after the effective date of this paragraph.

SECTION 3204. **Effective dates.** This act takes effect on July 1, 1987, or the day after publication, whichever is later, except as follows:

(1) ADMINISTRATION.

(a) *Financing of state facility operations.* The treatment of sections 20.505 (1) (kf) and 20.867 (1) (g), (h) and (i) of the statutes takes effect on July 2, 1987, or the 2nd day after publication, whichever is later.

Vetoed in Part

(bg) *Airplane fleet services.* The treatment of sections 16.04 and 20.505 (1) (kb) of the statutes and SEC-

TION 3001 (7a) of this act take effect on October 1, 1987.

(4) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Farm mediation and arbitration program.* The repeal of sections 15.131 (5), 15.135 (5), 20.115 (9) (a) and 93.50 of the statutes takes effect on July 1, 1989.

(ag) *Central laboratory services.* The treatment of section 20.115 (8) (km) of the statutes takes effect on July 1, 1988.

(bj) *Central administrative services.* The treatment of section 20.115 (1) (g), (ga), (gb) (by SECTION 133b), (i) (by SECTION 133ga), (im), (j), (jm) and (k), (2) (g), (gm), (h), (hm) and (j), (3) (g), (h), (i), (j) and (k), (7) (g) and (8) (i) of the statutes takes effect on July 1, 1988.

(5) ARTS BOARD.

(am) *Arts challenge initiative grants.* The treatment of section 44.565 (2) (b) and (c) of the statutes takes effect on the first day of the 5th month beginning after the effective date of this paragraph.

Vetoed in Part

(10) CIRCUIT COURTS.

(am) *Paternity actions.* The treatment of sections 767.01 (2), 767.25 (5), 767.45 (5), 767.455 (5), (5g) and (5r), 767.457, 767.458 (2), 767.46 (2) (intro.), 767.465 (2) and (3), 767.48 (1), (1m) and (4) and 767.50 of the statutes and the creation of sections 767.45 (5) (a), 767.457, 767.458 (2m), 767.465 (3) (c), 767.50 (2) and 767.51 (4) of the statutes take effect on the first day of the 3rd month beginning after publication.

Vetoed in Part

(15) CRIMINAL JUSTICE.

(am) *Elimination of council on criminal justice.* The repeal of sections 15.101 (15), 15.107 (1), 16.969, 20.420 (intro.), 20.923 (4) (b) 1 and 230.08 (2) (L) 1m of the statutes, the renumbering of sections 20.420 (1) (title), (a), (am), (h), (k), (m), (o), (p), (pa), (pb) and (pc) and 165.83 (2) (k) and (m) of the statutes, the renumbering and amendment of section 20.420 (1) (g) of the statutes, the amendment of sections 15.105 (title), 15.255 (1) (a) 7, 15.377 (7), 20.435 (4) (jk), 38.14 (4) and 165.87 (1) (bn) of the statutes, the repeal and recreation of sections 15.01 (4) and (6), 15.02 (3) (c) 1, 20.923 (8) and 230.08 (2) (e) 1 of the statutes, the creation of sections 15.101 (20), 15.105 (19), 16.964, 165.825 and 165.87 (2) (q), (r) and (s) and (3) of the statutes and the treatment of SECTIONS 3015 (1m) and 3036 (2) of this act take effect on October 1, 1987, or the day after publication, whichever is later.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(17) EDUCATIONAL COMMUNICATIONS BOARD.

(ag) *Board membership.* The treatment of sections 15.07 (1) (a) 5 and 15.57 (2) and (5) of the statutes takes effect on June 30, 1989.

Vetoed in Part

(19) EMPLOYEE TRUST FUNDS.

(am) *Employee benefits and post retirement adjustments.* The treatment of sections 40.02 (17) (d), (e) and 40.27 (1) and (1m) of the statutes is effective on the last day of the month following the month in which the special investment performance dividend is effective.

Vetoed in Part

(24) HEALTH AND SOCIAL SERVICES.

(a) *Facility reimbursement as institutions for mental disease.* The treatment of section 49.45 (6g) of the statutes and the amendment of section 20.435 (1) (b) of the statutes take effect on July 1, 1987.

(c) *Relief of needy Indian persons.* The treatment of section 49.046 (3) (a) 1 and 1m of the statutes takes effect on the first day of the first month beginning at least 20 days after publication.

(d) *Nursing home payment.* The treatment of sections 46.27 (7) (b) 1m (by SECTION 839), 49.175 (4), 49.45 (6m) (by SECTION 995), 50.05 (7) (h) and 150.27 of the statutes and the treatment of 1985 Wisconsin Act 29, section 3204 (23) (f) take effect on July 1, 1987.

(e) *State supplement to supplemental security income.* The treatment of section 49.177 (3s) of the statutes takes effect on April 1, 1988.

(eg) *Extended jurisdiction.* The treatment of sections 46.26 (4) (a), 48.02 (15m), 48.23 (2m) and (4), 48.243 (1) (b), 48.275 (3), 48.366, 48.44, 48.53, 48.992 (3), 53.11 (1) and (10), 53.17, 53.255, 57.15, 946.42 (3) (e), 946.44 (2) (d), 946.45 (2) (d), 976.08, 977.05 (4) (i) 5 (by SECTION 2231p) and 977.08 (2) (e) (by SECTION 2236p) of the statutes, the creation of sections 48.44 (2) and 53.17 (3) of the statutes and SECTION 3203 (24) (eg) of this act take effect July 1, 1988.

(f) *Community youth and family aids.* The treatment of section 46.26 (2) (c) (by SECTION 796) and (3) (f) (by SECTION 805) of the statutes takes effect on January 1, 1988.

(hb) *Retired senior volunteers program.* The treatment of sections 46.27 (4) (c) 4 and (7) (e) 3, 46.275 (5) (b) 2, 46.80 (5) (b) and 46.85 (title) and (3m) (b) of the statutes takes effect on July 1, 1987.

(hh) *Medical assistance eligibility changes.* The treatment of sections 49.46 (1) (a) 1m, 6 and 7, (f), (g) and (h) and (2) (a) (intro.), (b) (intro.) and (b) 1, 49.465 and 49.47 (4) (a) 2 and (4) (c) 1 of the statutes and SECTION 3202 (24) (ag) of this act take effect on July 1, 1987, or the first day of the first month beginning 20 days after publication, whichever is later.

(hm) *Public health administration.* The treatment of sections 141.01 (1r) and (9m), 141.015 (13m), 141.02 (2m) and 143.01 (1) and (1m) of the statutes takes effect on July 2, 1987.

(hp) *Aid to families with dependent children; 2-party payments and garnishment.* The treatment of sections 49.19 (5) (cm), 49.41 and 812.233 of the statutes and the creation of section 49.41 (2) of the statutes take effect on the first day of the 9th month after publication.

(im) *Income maintenance worker competency standards.* The creation of section 46.033 (3) and (4) of the statutes takes effect on the first day of the 6th month beginning after publication.

(jj) *Hospital prospective payment system.* The treatment of section 49.45 (3) (e) 1, 2 and 4 to 10 of the statutes and the creation of section 49.45 (3) (e) 3 of the statutes take effect on July 1, 1987.

(jm) *Paternity actions on behalf of the state.* The treatment of sections 767.45 (1) (h), (6m) and (7) and 814.61 (1) (a) of the statutes takes effect on the first day of the 12th month beginning after publication.

(kp) *Alzheimer's family and caregiver support.* The treatment of section 46.87 (5) (a) 3, (b) and (c) of the statutes takes effect on March 1, 1988.

~~(l) *Special action release.* The treatment of section 57.06 (1) of the statutes and SECTION 3024 (19) of this act take effect August 1, 1987, or the day after publication, whichever is later.~~

(ma) *Nursing home resident's right to know.* The treatment of section 50.095 (1) and (3) of the statutes takes effect on January 1, 1989.

(30) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Program revenue appropriations.* The treatment of section 20.445 (1) (ga), (gb) and (ka) of the statutes takes effect on July 1, 1987.

(b) *Job service administration.* The treatment of sections 20.445 (1) (gd) and (gf), 108.16 (6) (k), 108.19 (1m) and 108.20 (1), (2), (2m) and (3) of the statutes takes effect on July 1, 1987.

~~(c) *Minimum wage.* The treatment of sections 46.85 (4), 49.05 (2), 49.053 (2) (b), 49.50 (7g) (c) 2, 104.01 (3m), (5) and (7m), 104.02, 104.025, 104.03, 104.04, 104.045, 104.05, 104.06, 104.07 (1) and (2), 104.08 (1), 104.11, 104.12, 108.141 (3g) (a) 3, c, 233.02 (7) and (10), 425.106 (1) (a) 2 and 3, 445.095 (1) (b), 812.01 (7), 812.04 (2) and 812.18 (2) (a) 2 and 3 of the statutes, the renumbering of section 104.01 (1) of the statutes and the creation of sections 104.01 (1), 104.045 (2) and (3) of the statutes take effect on January 1, 1988, or the first day of the first month beginning after publication, whichever is later.~~

(cj) *Job center pilot projects.* The repeal of section 20.445 (1) (c) of the statutes takes effect on July 1, 1989.

(31) INSURANCE.

(aj) *Chiropractic coverage.* The treatment of sections 40.51 (8), 185.981 (1) to (4t), 185.982 (title), (1) and (2), 185.983 (1) (intro.), 609.70, 628.33, 628.36 (2) (b) 5 and 632.87 (1) and (3) (a) to (c) of the statutes and SECTION 3203 (31) (bg) of this act take effect on January 1, 1988.

(40) NATURAL RESOURCES.

(a) *Park and camping fees.* The treatment of sections 27.01 (7) (c) 6 and 7, (d), (f) and (g), (9), (10) (d) 1 to 6 and (f) and (11) (b), 27.98, 29.095 (2) and 29.1475 (3) of the statutes and the creation of section 27.01 (7) (f) 3 and (g) 3 of the statutes take effect on January 1, 1988.

~~(bm) *Petroleum storage environmental cleanup.* The treatment of section 144.4425 (2) (b) 3 of the statutes takes effect on July 1, 1989.~~

~~(dm) *Waste tire removal and recycling.* 1. The treatment of sections 84.06 (2) and 84.076 of the statutes takes effect on the first day of the 2nd month after publication.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed in Part 2. The treatment of section 144.798 (3) of the statutes takes effect on the first day of the 7th month after publication.

Vetoed in Part (em) *Local park aids program.* The repeal and recreation of sections 20.370 (4) (bw), 23.09 (25) (e) and 25.40 (2) of the statutes and the repeal of section 20.370 (4) (bp) of the statutes take effect on July 1, 1989.

(44) PUBLIC INSTRUCTION.

(a) *Curriculum plan standard implementation.* The treatment of section 121.02 (1) (k) of the statutes and the creation of 121.02 (1) (k) 2 and 3 of the statutes take effect on September 1, 1988.

(b) *Kindergarten hours.* The treatment of section 121.02 (1) (f) 2 of the statutes takes effect on September 1, 1988.

(dm) *Property value used in the school equalization formula.* The treatment of section 121.004 (2) of the statutes takes effect on July 1, 1989.

Vetoed in Part (fn) *Suicide prevention programs.* The treatment of sections 15.377 (7m) and 20.255 (2) (f) of the statutes and SECTIONS 3044 (7a) and 3201 (24) (am) of this act take effect on July 1, 1989.

(47) REVENUE.

(a) *Real estate transfer returns.* The treatment of sections 77.22 (1) (a), 77.25 (2) and 77.255 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(am) *School aid tax credit.* The repeal and recreation of section 74.031 (8) (d) 3 of the statutes and the treatment of section 79.10 (3m) of the statutes take effect on August 31, 1987.

(b) *Homestead credit.* The treatment of section 71.09 (7) (gn) to (gr), (gs) and (h) 1 to 4 of the statutes takes effect on January 1, 1989.

(bm) *All-terrain vehicles.* The treatment of sections 77.51 (13) (am), 77.53 (17), 77.54 (7) and 77.61 (1) (a) and (c) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(c) *Local purpose revenues.* The treatment of section 79.03 (3) (b) 4. (intro.), a, c to e, g and h and 7 of the statutes takes effect on January 1, 1988.

(cm) *Local sales tax.* The treatment of section 77.71 (3) and (4) of the statutes takes effect on April 1, 1986.

(d) *Wood waste.* The treatment of section 77.54 (30) (a) 4 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(e) *Servicing of nonresidents' property.* The treatment of section 77.52 (2) (a) 10 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(eg) *Farmland preservation credit.*

Vetoed in Part 1. The treatment of section 71.09 (11) (a) 6. a and b (by SECTION 1407a) and 7 (by SECTION 1407c), (b) (intro.) and 2 (by SECTION 1407d) and (bm) of the statutes takes effect on January 1, 1988.

Vetoed in Part 2. The treatment of section 71.09 (11) (b) (intro.) 1 and 2 (by SECTION 1407f) of the statutes takes effect on January 1, 1989.

(ej) *Hospital service insurance corporations.* The treatment of section 613.81 (1) (by SECTION 2099gb) to (3) of the statutes takes effect on January 1, 1989.

(f) *Nonwithholding of tax exempt remuneration.* The treatment of section 71.19 (5) (intro.) of the statutes takes effect on January 1, 1988.

Vetoed in Part (fn) *Homestead credit.* Section 3202 (47) (bm) of this act takes effect on January 1, 1988.

(g) *Federalization.* The repeal of sections 71.01 (4) (a) 6m, 71.04 and 71.05 (1) (a) 27 of the statutes and the repeal and recreation of section 71.09 (6r) (a) of the statutes take effect on the 2nd day after publication.

(h) *Inheritance and gift tax rates.* The amendment of sections 72.18 (intro.) and 72.83 of the statutes takes effect on January 1, 1988.

(i) *Inheritance tax and gift tax repeal.* The treatment of sections 16.007 (6) (b) 2, 66.30 (2m) (e), 72.01 (3), (10), (11), (12), (14), (15) and (15m), 72.02, 72.05, 72.06, 72.07, 72.21 (3), 72.22 (1) and (3), 72.23 (title), (1) and (2), 72.25, 72.26, 72.28, 72.29, 72.30 (1) (title), (a) and (b), (2), (3) (a), (b), (bm), (c), (d) and (e), (4), (5), (6) and (7), 72.31 (title), (1) and (2) (title), (a), (b) and (c), 72.33 (1), (2) (intro.) and (4), 72.34 (1) to (6), 72.60 to 72.64, 73.03 (20), 75.521 (3) (am) 2, 112.06 (9), 182.24, 601.415 (6), 613.81 (by SECTION 2099ga), 701.09 (3) and (4), 701.20 (12) (d) 5, 705.06 (1) (intro.) and (d), 851.17, 851.70, 859.01 (3), 863.27, 865.16 (1) (b), 865.20 (2), 867.01 (3) (a) 2, (e) and (f), 867.02 (2) (e) and (g), 867.045 (4) and 893.33 (5), chapter 72 (title) and subchapters I (title), II (title) and III (title) of chapter 72 of the statutes, the repeal of sections 72.01 (17), 72.12 to 72.20 and 72.22 (4) and subchapter IV of chapter 72 of the statutes, the repeal and recreation of section 71.05 (1) (g) of the statutes, and SECTIONS 3047 (3), 3200 (47) (a), 3201 (31) (a), (36) (a) and (b) and (53) (a) and 3202 (47) (a) of this act take effect on January 1, 1992.

(ia) *Manufacturing property.* The treatment of section 70.11 (1), (24) and (27) of the statutes takes effect on January 1, 1988.

Vetoed in Part (ic) *Local sales tax.* The treatment of section 77.785 (2) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(ie) *Electric cooperatives.* The treatment of sections 76.28 (1) (e) (intro.), 76.48 (title), (1), (1g) and (2) to (5) and 79.04 (1) (intro.) of the statutes and SECTION 3047 (1k) of this act take effect on January 1, 1988.

(j) *Minimum tax.* The amendment of section 71.60 (1) of the statutes takes effect on January 1, 1986.

Vetoed in Part (jb) *Tobacco products tax, Indian tribes.* The treatment of sections 139.75 (4g), (4m) and (6m), 139.76 (1), 139.82 (7), 139.87 and 139.88 of the statutes takes effect on the first day of the 3rd month beginning after publication.

Vetoed in Part (ji) ~~Use tax exemption for boats.~~ The treatment of section 77.53 (17m) of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed in Part (jk) ~~Fuel tax refunds.~~ The treatment of section 78.75 (1) (a) 1 and (c) of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed in Part (jm) ~~Telephone companies.~~ The treatment of section 76.38 (1) (aa) and (ac) (by SECTION 1563ma) and (2) (a) of the statutes takes effect on January 1, 1988.

(nr) *Emergency number system funding — exemption from gross revenue tax.* The treatment of section 76.38 (1) (b) (by SECTION 1564cm) takes effect on January 1, 1988.

(nu) *Cigarette tax.* The treatment of section 139.31 (1) (a) and (b) of the statutes takes effect on September 1, 1987.

Vetoed in Part (pu) ~~Highways.~~ The treatment of section 70.11 (35) of the statutes takes effect on January 1, 1988.

Vetoed in Part (pv) ~~Charter boats.~~ The treatment of section 70.11 (22) of the statutes takes effect on January 1, 1988.

(49) SECRETARY OF STATE.

(a) *Information requests.* The treatment of sections 20.575 (1) (gb), 179.16 (4) and (5), 180.87 (1) (r), (rm) and (t), 181.68 (1) (i), (im) and (k) and 185.83 (1) (intro.), (a) to (c), (f), (fm), (g) and (h) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(50) SECURITIES.

(a) *Common stock exemption.* The treatment of section 551.22 (18) of the statutes takes effect on January 1, 1988.

(52) TRANSPORTATION.

(am) *Driving while intoxicated.* The treatment of sections 343.305 (5) (b) and 346.63 (2m) (by SECTION 2038r) of the statutes takes effect on January 1, 1988.

(ar) *Testing instruments for the chemical analysis of breath.* The treatment of section 343.305 (6) (b) 3 of the statutes takes effect on January 1, 1988.

(bc) *Lake Michigan ferry service assistance.* The treatment of sections 20.395 (2) (hq), 30.38 (8) (b) 4 and 85.097 of the statutes and SECTION 3201 (23) (ag) of this act take effect on January 1, 1988.

(54) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Program and federal revenue position.* The treatment of sections 16.50 (3) (by SECTION 73m) and 16.517 (by SECTION 78m) of the statutes takes effect on July 1, 1989.

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(am) *Referendum for capital expenditures.* The repeal and recreation of section 38.15 (1) of the statutes takes effect on July 1, 1990.

(57) OTHER.

(am) *Elimination of aids to credits.*

1. The treatment of sections 79.02 (2), (3) and (4) and 79.08 (1) and (2) of the statutes, the repeal and recreation of section 79.02 (1) of the statutes and SECTION 3201 (1) (am) of this act take effect on January 1, 1988.

(b) *Local assessments on state property.* The treatment of sections 20.865 (3) (b), (h) and (r), 66.60 (4) and 66.64 (2) (a) and (b) of the statutes takes effect on July 1, 1989.

(dm) *Badger state games.* The repeal of section 20.855 (4) (fc) of the statutes takes effect on July 1, 1988.

(ee) *Condemnation by certain pipe line companies.* The repeal of section 32.02 (13m) of the statutes takes effect on July 2, 1990.

(fm) *Partial dissolution of sanitary districts.* The creation of section 60.785 (3) (a) 2 of the statutes takes effect retroactively to June 20, 1983.

(gg) *Tax increment districts.* The repeal and recreation of section 66.46 (6) (am) 3 of the statutes takes effect on July 1, 1989.