

1991 Senate Bill 483

Date of enactment: April 29, 1992
Date of publication: April 30, 1992

1991 Wisconsin Act 269

(Vetoed in Part)

AN ACT to repeal 13.94 (1) (dp), 15.07 (1) (b) 7, 15.07 (2) (c), 15.07 (5) (m), 15.07 (5) (u), 15.07 (5) (v), 15.105 (13), 15.405 (4m), 15.71, 15.81, 16.03, 16.367, 19.73 (title), 19.73 (4) (intro.), 19.73 (4) (b), 19.73 (4) (e), 19.80 (1) (a), 20.192 (intro.), 20.192 (1) (title), 20.192 (2) (title), 20.195 (intro.), 20.195 (1) (title), 20.197 (1) (g) 1s, 20.197 (3) (hm), 20.197 (4), 20.235 (1) (m), 20.235 (1) (n), 20.255 (2) (f), 20.285 (1) (cr), 20.370 (4) (ca), 20.395 (1) (av), 20.435 (1) (dv), 20.435 (1) (fb), ~~20.435 (1) (fd)~~, 20.435 (1) (gq), 20.505 (4) (fm), 20.505 (4) (fn), 20.505 (4) (i), 20.566 (8) (title), 20.566 (8) (q), 20.566 (8) (v), 20.566 (8) (w), 20.566 (8) (wa), 20.680 (3) (c), ~~20.833 (3) (b)~~, 20.923 (4) (e) 6m, 20.923 (4) (e) 10m, 20.923 (6) (hd), 20.923 (6) (hp), 21.49 (2) (b), 23.09 (2q) (a), 25.38, 25.75 (1) (a), 27.01 (6) (L), ~~30.537 (4) (d), 30.537 (4) (e), 30.537 (4) (f), 30.57, 30.571, 30.572, 30.573, 30.574, 30.575, 30.576, 30.577 (2)~~, 36.25 (32), 40.51 (8m), 40.51 (13), 40.51 (14), 40.51 (15), 44.02 (7), 44.15 (2), ~~46.264 (7)~~, 46.45 (5), 46.81 (2) (b), 46.99, 49.46 (2) (i), 49.465 (2) (b), 77.22 (1) (title), 77.22 (1) (2), subchapter IV (title) of chapter 77, 77.64 (2), 77.64 (8), ~~79.14, 93.18 (3), 100.18 (1) (b), 100.20 (1m), 100.26 (4), 100.26 (7), 101.143 (2) (a), 115.28 (10) (b), 115.28 (12), 115.361 (7) (a) 1, 115.91 (2), 115.93 (1m), 134.71 (9) (a) 3, 134.83 (6), 144.21 (6) (a) and (c), 144.399 (1) (b), 144.399 (3), 146.025 (1) (em) 4 and 5, ~~146.88 (3) (d)~~, 157.061 (6), 157.09, 157.128 (2), 157.13, 157.15, 163.03 (4), 163.03 (5), 163.04 (1), 163.05 (title) and (1) (intro.), 163.05 (1) (d), 163.05 (1) (g), 165.97 (4) (a) (intro.), 165.97 (4) (b), 168.12 (1m), 168.12 (1r), 168.12 (1s), 180.0502 (2) (b), 180.0502 (2) (c), 180.1508 (1) (c), 180.1508 (1) (e), 218.10 (1g), 230.08 (2) (L) 5e, 230.08 (2) (L) 5s, 230.08 (2) (qm), 230.08 (2) (qr), ~~409.302 (3) (bm)~~, 409.404 (3) (c), ~~560.875 (4)~~, 562.01 (2), 562.01 (4), 562.02 (3), 565.01 (2) and (3), 565.02 (5), 565.05 (1) (c), 707.55 (10) (a) to (d) and 814.61 (5) (c); to renumber 20.192 (1) (g) 1, 20.192 (1) (g) 1r, 20.192 (1) (g) 2, 20.192 (2) (i), 20.195 (1) (r), 20.195 (1) (s), 20.195 (1) (v), 29.145 (1) (b), 29.148 (1), 29.43 (5), ~~39.41 (1) (a)~~, 46.278 (1m) (a), ~~49.19 (12), 49.45 (24)~~, 51.37 (10) (a), 77.63, 77.64 (intro.), 77.64 (1), 77.64 (3) to (7), 77.655, 77.67 (title), 77.67 (3), 77.67 (5), 77.67 (6), ~~79.10 (1) (e)~~, 85.02, 86.31 (1) (a), ~~100.16, 100.17, 100.18 (title) and (1), 100.18 (2) (a), (b) and (c), 100.18 (3) to (10), 100.18 (11) (b) 2, 100.18 (11) (c), 100.18 (12), 100.182 (title) and (1) to (4), 100.205 (title) and (1) to (4), 100.205 (6), 100.21 (title), 100.21 (6), 100.215, 100.28, 100.285, 100.29, 100.295, 100.297 (title), 100.297 (2) and (3), 100.31, 100.33, 100.35 (title) and (1), 100.37 (title) and (1m), 100.37 (1), 100.37 (3) and (4), 100.37 (6) to (8), 100.38 (title) (1) and (2), 100.38 (5) to (7), 100.41 (title) and (1) to (4), 100.42 (title) (1) and (2), 100.42 (4), 100.43 (title), 100.43 (2), 100.45, 115.28 (10) (a), 132.13 (1), 134.70 (title) and (1) to (12), 134.70 (14), 134.83 (title) and (1) to (4), 134.83 (7) and (8), 146.0275 (2) (a) to (c), 157.11 (9) (f), 157.128 (1) (b), chapter 163 (title), subchapter I (title) of chapter 163, 163.02, 163.03 (intro.) and (1) to (3), 163.03 (4e) to (4s), 163.03 (6) to (16), 163.04 (2) to (5), 163.05 (1) (a) to (c), 163.05 (1) (e) and (f), 163.05 (1) (h), subchapter III (title) of chapter 163, 163.11, 163.15 (title), 163.27, subchapter IV (title) of chapter 163, 163.52, subchapter V (title) of chapter 163, 163.63, 163.66, subchapter VI (title) of chapter 163, 163.71, subchapter VII (title) of chapter 163, 163.80, subchapter VIII (title) of chapter 163, 163.905, 163.92 (title), 163.94, 163.99, subchapter VII (title) of chapter 440, 562.01 (1), 565.01 (1), ~~632.89 (1) (em), 779.97 (2) (c)~~, and 977.03; to renumber and amend ~~15.107 (13), 16.61 (3) (u), 19.37 (2), 19.73 (1), 19.73 (2), 19.73 (3), 19.73 (4) (a), 19.73 (4) (c), 19.73 (4) (d), 19.80 (1) (e), 20.195 (1) (h), 20.195 (1) (i), 20.195 (1) (j), 20.195 (1) (k), 20.195 (1) (l), 20.195 (1) (m), 20.195 (1) (n), 20.195 (1) (o), 20.195 (1) (p), 20.195 (1) (q), 20.435 (1) (r), 24.61 (3) (c), 29.02 (4), 40.02 (3), 43.30, 44.15 (1), 44.15 (3), 46.81 (2) (a), 69.30 (1), 77.22 (1), 77.65, 77.66, 77.67 (1), 77.67 (2), 77.67 (2m), 77.67 (4), ~~79.08, 79.10 (7m) (a) 1. b., 93.07 (10), 94.67 (3m)~~, 100.15, 100.18 (1) (a), 100.18 (1) (b) 3, 100.18 (1) (d), 100.18 (1) (e), 100.182 (3), 100.20~~~~~~

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~~79.10(7m)(a)(title), 79.10(7m)(b) 1. a., 79.10(9)(b), 79.10(9)(c), 79.10(10)(title), 84.01(1)(7), 85.15(2)(2), 85.28(4m)(a) and (am) 1, 86.19(1m), 86.30(2)(a) 3. b., 86.30(9), 86.31(2)(b), 88.11(1)(intro.), 88.11(3)(intro.), 88.11(4), 88.11(5)(intro.), 88.13, 88.21(5), 88.22(3)(intro.), 88.35(7), 91.01(3), 92.01(3), chapter 93 (title), 93.01(3), 93.01(15), 93.09(6), 93.18(2), 93.22(2), 93.31, 94.43(3), 94.43(4), 94.685, 94.703(2)(b), 94.703(3)(a) 2, 94.703(3)(a) 3, 94.703(3)(b) 2, 94.703(3)(b) 3, 94.72(1)(a), 95.232, 95.233(5), 95.31(3), 96.04(2)(c), 97.01(4), 97.20(2)(b), 97.20(2g)(a), 97.20(3m), 97.22(1b), 97.235, 97.24(3), 97.42(1)(a), 97.42(3)(a), 97.42(3)(b), 97.42(5)(b), 100.02, 100.03(5)(f), 100.20 (title), 100.20(2), 100.20(3), 100.21(1)(a), 100.22(1), 100.22(3), 100.26(1), 100.26(3), 100.26(5), 100.26(6), 101.08(9), 101.09(3)(b), 101.122(6), 101.123(1)(g), 101.175(3)(intro.), 101.175(6), 101.177(1)(b), 101.177(1)(c), 101.19(1)(f), 101.58(2)(i), 101.58(6), 108.09(5)(a), 108.141(1)(e)(intro.), 108.142(1)(c)(intro.), 114.27, 114.35(2), 115.28(23)(intro.), 115.363(6), 115.38(title), 115.38(2), 115.88(2), 115.882, 115.93(2), 117.132(1m)(a), 118.37(3)(b), 118.37(5)(intro.), 118.37(6)(a), 118.37(7g), 119.04(1), 119.10(1), 119.10(2), 119.72(2)(c), 120.13(1)(b), 120.13(2)(g), 121.02(2), 121.07(1)(a), 121.07(6)(e), 121.07(7)(a), 121.07(7)(e), 121.105(3), 121.41(1), 125.06(10), 125.17(5)(a), 125.17(6)(b), 125.26(6), 127.01(1b), 127.06(3), 127.07(6)(c), 127.07(7)(c), 134.705(1)(c), 134.705(4), 134.705(7), 134.71(2), 134.71(3)(a), 134.71(4), 134.71(8)(e), 134.74(1)(b) 2, c, 134.99(1), 136.001(2), 136.03(2), 136.04 (title), 136.04(1), 136.04(2), 138.09(7)(b) 2, 138.09(7)(c), 139.31(1)(a) and (b), 140.05(16)(f), 140.77(2), 143.07(7), 144.025(2)(f), 144.025(2)(g) 1, 144.025(3)(v) 2 (intro.), 144.025(2)(v) 2 a., 144.025(2)(v) 2 b., 144.027(1)(e) 1, 144.21(3)(c), 144.21(8), 144.2413(1)(c), 144.25(4)(as), 144.25(4)(c), 144.25(4)(sd), 144.25(4)(e), 144.25(4)(g)(intro.), 144.25(4)(g) 2, 144.25(4)(g) 4, 144.25(4)(h), 144.25(4)(j), 144.25(4)(o), 144.25(4)(p), 144.25(4)(pm), 144.25(4)(q), 144.25(4)(r), 144.25(4m)(c), 144.25(4m)(d), 144.25(5)(intro.), 144.25(3)(g)(intro.), 144.25(3)(h) 1, 144.25(10), 144.251, 144.253(3)(a), 144.399(1)(a), 144.399(4), 144.399(6), 144.422(1), 144.442(1)(a), (b), 144.442(1)(s), (e), 144.455(2), 144.96(3)(a), 144.96(3)(d), 146.024(2)(intro.), 146.025(1)(em) 1 to 3, 146.025(1)(fm), 146.025(2)(a) 5. a., 146.025(2)(a) 5m, 146.025(2)(b)(intro.), 146.025(2)(b) 2, 146.025(2)(bm) 2, 146.025(4)(c), 146.025(5)(a)(intro.), 146.0275(2)(intro.), 146.125, 146.24, 146.55(3)(b), 146.55(4)(a), 146.55(5), 146.60(1)(as), 146.60(2)(b), 146.60(3)(c) 1, 146.60(3)(c) 2, 146.60(5), 146.81(4), 146.88(4)(a), 146.89(1), 146.99, 153.07(2), 155.20(2)(a) 2, 157.062(1) and (2), 157.062(6)(b), 157.08(1), 157.08(5), 157.11(title), 157.11(10), 157.12(3)(title), 157.128(title), 157.19(2)(a), 157.19(2)(b), 157.19(6), 157.62(1)(a)(intro.), 157.62(2)(a), 157.62(2)(b) 4, 157.62(2)(c), 157.62(6), 157.63(2)(b) and (3), 157.63(4) and (6), 157.64(2)(a), 157.70(2)(a), 157.70(2)(b), 157.70(2)(e), 157.70(3)(c) 1, 159.01(6), 159.07(2), 159.11(2)(a), 159.11(2)(b), 159.22(2)(c), 160.01(7), 165.065(2), 165.25(4)(a), 165.70(1)(e), 165.70(3m), 165.72(6), 165.97(4)(intro.), 165.97(5), 174.001(2), 174.11(1), 174.11(2), 177.23(1), 180.0122(1)(j), 180.0123(1)(a)(intro.), 180.0502(2)(a), 180.0502(2)(e), 180.0502(2)(f), 180.1508(1)(a), 180.1508(1)(b), 180.1508(1)(d), 180.1708(8)(b), 184.10(3), 185.981(4t), 185.983(1)(intro.), 186.113(19), 195.28(1), 195.28(3), 196.795(9), 196.84, 196.85(1) and (2), 196.855, 196.857(1)(intro.), 215.13(48), 218.01(3)(a) 17, 218.04(9m)(b), 218.11(1), 218.11(2)(a), (b) and (d), 218.11(3), 218.11(6)(intro.) and (d), 218.11(7)(a) and (b), 218.12(1) and (2)(a), (b) and (d), 218.14(1)(a), (b) and (d), 218.16, 218.17(2), 220.04(6)(d), 222.13(1)(b), 227.01(13)(zd), 227.45(1), 230.04(1m), 230.08(2)(e) 1, 230.08(2)(e) 2, 230.08(2)(s), 230.08(4)(a), 230.12(1)(a) 1. b., 230.33(3), 230.44(1)(b), 234.49(1)(intro.), 234.49(1)(e) 2, 234.49(1)(f)(intro.), 234.50(1), 236.07(1d), 301.048(9), 301.28(12), 301.285, 301.31, 302.33(2)(a) 3, 302.38(2), 303.01(8), 303.06(2), 304.06(1)(a), 304.10(3), 340.01(58a), 341.10(14), 341.17(5), 341.36(1), 341.36(2), 341.36(3), 343.07(1m)(a), 343.19(1), 343.34(intro.), 343.50(3), 343.50(4), 344.02(title) and (1), 344.02(3), 344.02(4), 344.04, 344.08, 344.09, 344.12, 344.13, 344.14(title) and (1), 344.14(1m)(intro.), 344.14(2)(h), 344.14(2)(k), 344.18(title) and (1), 344.18(3)(intro.), 344.18(3)(b), 344.18(4), 344.19(2), 344.19(3), 344.20(2)(a), 344.20(3)(c), 344.24, 344.29, 344.34, 344.40(2), 344.41(1)(intro.), 344.46(1), 344.46(3), 345.54(5), 347.48(2m)(gm), 348.01(2)(am), 348.15(3)(intro.), 348.27(1)(ka), 349.13(1), 350.11(3)(a) 1, 350.12(4)(b) 1, 350.12(4)(bg), 350.12(4)(bm) 1, 350.18(2), 409.403(5)(a) 1, 409.403(5)(a) 1m, 409.403(5)(a) 2, 409.403(5)(b) 1, 409.403(5)(b) 1m, 409.403(5)(b) 2, 409.404(3)(a), 409.404(3)(b), 409.405(1), 409.405(1m), 409.405(2), 409.406, 409.407(2)(a), 409.407(2)(b), 421.103(4), 440.05(intro.), 440.08(2)(a)(intro.), 440.23(1), 440.26(5), 440.91(1), 440.91(2)(intro.), 440.92(1)(a), 440.92(6)(d), 440.92(7), 553.03(3m)(c), 553.78, 560.03(18), 560.07(6), 560.165(7m)(4) 6, 560.194(2)(intro.), 560.64(2)(intro.), 560.64(2)(a), 560.64(2)(g), 560.65(1m)(b), 560.82(4)(a), 560.835(1)(c), 560.835(4), 560.875(1), 560.92(1), 562.01(14), 562.02(title) and (1)(intro.) and (a), 562.02(1)(am)(intro.), 562.02(1)(d), 562.02(1)(f), 562.02(1)(h), 562.02(2)(intro.), (a) and (b), 562.02(2)(e) 3, 562.02(2)(f), 562.02(2)(fm), 562.02(2)(g), 562.02(4), 562.025(1)(intro.), 562.025(1)(e), 562.025(2)(intro.) and (a), 562.025(2)(e), 562.03, 562.04(1)(a)(intro.) and 1, 562.04(1)(a) 5, 562.04(1)(b)(intro.), 562.04(1)(b) 4 to 6, 562.04(2)(intro.), 562.04(2)(d), 562.045(intro.), 562.045(6), 562.05(1)(intro.), 562.05(1)(d), 562.05(1b), 562.05(1m) and (2), 562.05(2m), 562.05(3) and (3m), 562.05(3w)(intro.), 562.05(3wmr), 562.05(3wt) and (4), 562.05(4m)(intro.), 562.05(5)(a) 5 and 6, 562.05(5)(b) 4, 562.05(5)(c) 2, 562.05(6m)(b)(intro.), 562.05(6m)(b) 2, 562.05(6m)(c), (d) and (e)(intro.), 562.05(7)(a)(intro.).~~

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~~562.05 (7) (ag) (intro.), 562.05 (7) (b) and (bg), 562.05 (8) to (10), 562.057 (1), 562.057 (3) (b) (intro.), 562.065 (1), 562.065 (3) (c) 1. (intro.), 562.065 (3) (c) 2. (intro.), 562.065 (3) (c) 2g. (intro.), 562.065 (3) (c) 4, 562.065 (3) (d) 1 and 2, 562.065 (3) (e), 562.065 (3m) (c), 562.065 (4), 562.075 (1) (a) and (b), 562.075 (2) (c), 562.077, 562.08 (3), 562.09 (1) and (2), 562.09 (3) (c) 2, 562.09 (3) (em) and (f), 562.105, 562.12 (1), 562.12 (3), 562.124, 562.125 (1), 562.13 (2) (b), chapter 565 (title), 565.01 (4c) (a) and (b), 565.01 (6), 565.02 (title) and (1) (a) and (b) (intro.), 565.02 (1) (b) 4, 565.02 (1) (c), 565.02 (2) (a) and (b), 565.02 (2) (c) 3 and (d), 565.02 (2r), 565.02 (3) (intro.) and (a), 565.02 (3) (b) 6, 565.02 (4) (intro.), 565.05 (1) (intro.) and (a), 565.10 (1), 565.10 (3) (a) 4, 565.10 (3) (c) 4, 565.10 (4) (b) (intro.), 565.10 (5), 565.10 (7) (b), 565.10 (8) and (8m), 565.10 (11), 565.10 (13), 565.10 (14) (b), 565.10 (14) (c), 565.10 (15), 565.12 (1) (intro.), 565.12 (1) (e), 565.12 (2) and (3), 565.15, 565.17 (1) and (2), 565.17 (5) (title) and (a), 565.25 (1m), 565.25 (2) (a) 4. (intro.), 565.25 (2) (a) 6 and 7, 565.25 (3) (a) 4, 565.25 (4), 565.27 (1) (intro.), 565.27 (2) (a), 565.27 (2) (b) 4, 565.30 (1) and (2), 565.30 (3) (a), 565.30 (4) and (4m), 565.30 (5), 565.30 (5m), 565.32 (1), 565.32 (3) (a) (intro.), 565.37, 565.40 (1), 565.45, 565.46, 618.41 (6m), 619.13 (1) (b), 619.13 (1) (c), 619.13 (1) (d) 1, 619.14 (3) (intro.), 619.16 (3) (s) (intro.), 631.01 (1) (b), 631.01 (4m), 632.18, 632.87 (1), 632.87 (3) (a) 2, 632.89 (2) (b) (title) and (1), 632.89 (2) (c) (title) and (1), 632.89 (2) (c) 2 a., 632.89 (2) (c) 2 b., 646.13 (2) (e), 704.90 (3) (a), 704.90 (9), 706.05 (12), 707.55 (10) (intro.), 710.02 (4) (a) (intro.), 753.06 (1) (a), 753.06 (2) (a) and (b), 753.06 (4) (d), 753.06 (5) (a), 753.06 (6) (g), 753.06 (8) (b), 753.06 (8) (f), 753.06 (10) (g), 753.06 (10) (k), 753.075 (3) (a), 757.69 (3) (e), 757.81 (6), 757.83 (1) (a), 757.85 (1) (a), 757.85 (1) (b), 757.85 (3) to (5), 757.87 (1), 757.89, 757.93 (1), 757.93 (2), 757.93 (4) (a), 757.95, 757.97, 757.99, 765.15, 767.11 (12) (a), 767.327 (3) (b) 2, 779.97 (2) (b) and (c) (intro.), 779.97 (2) (c) 1, 779.97 (4) (c), 779.97 (4) (c), 799.209 (2), 814.61 (5) (b), 814.61 (7) (b), 814.61 (12) (b) (intro.), 814.615 (1) (a) 2 and 3, 814.615 (2), 867.035 (1) (intro.) and (d) 2, 885.01 (4), 895.05 (2), 895.57 (3), 901.04 (1), 901.05 (2) (intro.), 908.03 (6m) (c) 3, 911.01 (4) (intro.), 939.74 (2) (c), 940.22 (4) (a), 943.75 (3), 945.01 (3) (b) 1, 945.01 (4) (am), 945.01 (5) (am), 945.01 (5) (c) 2 g., 945.041 (10), 950.045, 969.08 (8), 971.17 (3) (e), 973.011 (2) and 973.20 (14) (d); *to repeal and recreate* 20.143 (1) (c), 20.143 (1) (er), 20.143 (1) (ie), 20.143 (2) (b), 20.197 (1) (g) 2, 20.370 (4) (bu), 20.435 (4) (df), 20.505 (1) (a), 20.505 (1) (d), 20.835 (1) (b), 25.40 (2), 39.11 (20), 40.51 (8), 40.51 (8), 46.48 (10m) (a), 49.45 (8), 66.184, 70.111 (19) (b), 79.03 (3c), 79.10 (4), 100.06 (2m), 118.30, 120.13 (2) (g), 121.02 (1) (o), 121.02 (1) (s), 134.71 (5) (intro.), 144.399 (2), 146.89 (1), 168.12 (1), 185.981 (4t), 185.983 (1) (intro.), 185.983 (1) (intro.), 302.38 (2), 344.18 (1) (intro.), 344.18 (3) (intro.), 344.19 (3), 344.40 (2), 561.02, 562.02 (2) (f), 562.02 (2) (fm), 562.04 (1) (b) 4, 562.04 (2) (d), 562.05 (2), 562.057 (4), 562.065 (3) (d) 2, 562.065 (3) (e) 2, 562.065 (4), 562.09 (1) (title) and (a), 562.09 (2) (e), 753.075 (2), 895.57 (3) and 943.75 (3); and *to create* 13.48 (14) (e), 13.483, 13.58, 13.625 (4), 13.94 (1) (n), 14.015 (2), 14.26, 15.06 (1) (f), 15.07 (1) (a), 15.07 (3) (a) 2, 15.107 (13) (a) and (b), 15.137 (4), 15.197 (13), 15.197 (22), 15.227 (20), 15.253 (1), 15.253 (2), 15.347 (18), 15.64, 15.643, 15.707 (2), 15.72, 16.20 (1) (cg), 16.61 (3) (u) 2. b. to f. and 3. b. and c., 16.61 (3) (v), 16.843 (2) (cm), 16.847, 16.877 (5), 16.96 (2) (f), subchapter X (title) of chapter 16, 19.32 (1r), 19.35 (1) (am) 1 and 2, 19.35 (4) (c), 19.36 (7), 19.365 (title), 19.365 (2) (intro.), 19.42 (5m), 19.59 (1) (e), 19.59 (1) (f), 19.63 (1) (d), 19.66, 19.69 (2), 20.115 (2) (e), 20.115 (7) (q), 20.115 (7) (w), 20.115 (7) (w), 20.197, 20.225 (1) (em), 20.245 (3) (d), 20.255 (1) (dt), 20.255 (2) (dc), 20.255 (2) (ds), 20.255 (2) (ef), 20.255 (2) (eg), 20.255 (2) (eh), 20.255 (2) (em), 20.255 (2) (fh), 20.255 (2) (u), 20.285 (1) (a), 20.370 (1) (ds), 20.370 (1) (fe) 1m, 20.370 (2) (bg), 20.370 (2) (bh), 20.370 (2) (bi), 20.370 (4) (ig), 20.370 (8) (mg), 20.370 (8) (mh), 20.395 (1) (av), 20.395 (4) (dg), 20.435 (1) (cd), 20.435 (1) (ce), 20.435 (1) (fd), 20.435 (1) (rg), 20.450, 20.455 (2) (g), 20.455 (2) (r), 20.455 (4) (a), 20.455 (5) (i), 20.485 (2) (e), 20.485 (2) (rc), 20.485 (2) (rs), 20.485 (2) (sm), 20.505 (1) (d), 20.505 (5) (g), 20.505 (5) (kb), 20.505 (5) (q), 20.505 (5) (qg), 20.505 (5) (q), 20.505 (9) (title), 20.505 (9) (a), 20.505 (9) (b), 20.515 (1) (ut), 20.521 (1) (i), 20.680 (3) (c), 20.680 (3) (c), 20.835 (3) (c), 20.866 (2) (ya), 20.867 (3) (e), 20.923 (4) (e) 2m, 20.923 (6) (h), 20.923 (18), 20.924 (1) (h), 23.09 (2r), 23.0915 (1) (cm), 23.0915 (1) (cm), 23.0915 (1) (m), 23.0915 (1g), 23.0915 (1r), 23.0915 (2g), 23.0915 (3), 23.117, 23.195, 24.61 (3) (c) 2, 24.61 (4), 24.85, 25.17 (1) (ee), 25.465 (9) to (14), 25.75 (1) (am), 25.75 (3) (b) 4, 25.90, 27.01 (6) (n), 29.02 (3m), 29.05 (1d), 29.092 (9) (hg), 29.092 (9) (hr), 29.093 (9) (gm), 29.093 (9) (gr), 29.103 (2) (c), 29.145 (1) (b) 2, 29.148 (1), 29.40 (6), 29.42 (4), 29.425 (4m), 29.43 (5) (b), 29.44 (3), 29.45 (6), 29.48 (1m), 29.574 (1m), 29.578 (1m), 29.58, 29.581, 29.583, 30.1255, 30.277, 30.541 (3) (d), 30.578, 30.92 (4) (b) 6m, 30.94 (4) (d), 32.25 (3), 36.11 (25), 36.25 (30g), 36.25 (34), 38.04 (24), 39.145 (4m), 39.41 (1) (ad) and (a), 39.41 (1m) (c), 39.41 (1m) (g), 39.41 (3m), 40.02 (3) (b), 40.03 (6) (j), 40.04 (2) (e), 40.05 (2) (fm), 40.19 (5), 40.25 (7), 42.12, 43.03 (11), 43.15 (2) (c) and (d), 43.30 (2) and (3), 44.15 (1), 44.15 (3) to (6) and (9), 44.47 (1) (bm), 44.47 (1) (i), 44.47 (5m), 45.03 (3), 45.351 (1m), 45.352, 45.371 (18), 45.43 (7) (d), 46.03 (41), 46.263, 46.278 (1m) (ag), 46.278 (5) (am), 46.278 (6) (c), 46.32, 48.22 (3) (c), 49.035 (4m), 49.19 (7) (c), 49.44, 49.45 (6m) (ar), 49.45 (24) (b), 49.45 (33), 49.46 (1) (a) 13, 49.468 (1) (e), 49.47 (4) (am) 1m, 49.47 (4) (am) 3, 49.47 (4) (v), 49.496 (2) (f) 4, 50.14, 51.039, 51.37 (10) (a), 51.37 (10) (dg), 51.37 (10) (dm), 51.37 (10) (dx), 51.44 (5) (c), 59.07 (135) (q), 59.97 (2) (a) 3, 59.972, 66.023, 66.057, 66.303, 66.609, 69.30 (1) (a) and (c), 70.119 (9), 71.01 (6) (g), 71.03 (1m), 71.05 (6) (b) 17 and 18, 71.07 (5) (a) 15, 71.22 (4) (g), 71.22 (4m) (e), 71.26 (2) (b) 7, 71.28 (6) (g), 71.34~~

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in Part

(1g) (g), 71.42 (2) (f), 77.25 (17), 77.92 (5), ~~79.06 (2) (d), 79.08 (2), 79.10 (1) (c), 79.10 (1) (g), 79.10 (1) (h), 79.10 (4), 79.10 (6), 79.10 (7), 85.02 (2), 85.024, 85.08 (2) (k), 85.202, 86.195 (2) (ag) 33, 86.195 (2) (ag) 34, 86.31 (1) (a) and (am), 86.31 (2) (d), 86.31 (2) (e), 86.31 (6) (f), 87.307, 93.07 (10) (b), 94.64 (3) (c), 94.64 (4) (av), 94.67 (3m) (b) and (c), 94.68 (3) (b), 94.68 (4) (a) 3, 94.685 (3) (c), 94.703 (3) (c), 94.704 (3m), 94.705 (6), 94.709, 94.73, 95.179, 95.25 (5m), 97.20 (3), 97.23, 97.237, 97.42 (1) (cm), 97.42 (3) (em), 97.42 (4) (em), 100.20 (1), 100.22 (1m), 101.02 (7m), 101.135, 101.14 (4m), 101.143 (4) (a) 6, subchapter VI of chapter 101, 108.141 (1m), 108.142 (1m), 111.91 (2) (j), 114.103, 115.28 (32), 115.28 (34), 115.28 (35), 115.28 (36), 115.363 (1) (f), 115.364, 115.366, 115.38 (1) (c), 115.38 (4), 115.40, 115.45 (3m) (a) 1m, 115.46 (3m) (a) 3, 115.45 (3m) (b) 3 and 4, 115.49, 118.013, 118.33 (1) (c), 118.37 (3m), 118.37 (6) (b), 119.84, 120.12 (22), 120.12 (23), 121.004 (7) (e), 121.05 (1) (a) 9, 121.082, 125.07 (3) (a) 12, chapter 130 (title), 130.01, 130.02, 130.03, 130.04, 130.05, 130.06, 130.09, 130.34, 130.35, 132.13 (1) (b), 134.71 (9) (a) 4, 134.74, 136.001 (3) (a), 136.001 (3) (b), 136.001 (3) (c), 140.05 (16) (fm), 143.07 (5m), 144.30 (22rm), 144.44 (3) (b) 1, 144.76 (2) (b), 146.024 (1) (ad), 146.024 (1) (am), 146.024 (1) (e) and (f), 146.024 (2) (am) and (bm), 146.025 (1) (ad), 146.025 (1) (af), 146.025 (1) (aj), 146.025 (1) (am), 146.025 (1) (ar) 1 and 2, 146.025 (1) (cm), 146.025 (1) (eb), 146.025 (1) (fg), 146.025 (1m), 146.025 (2) (a) 5, 146.025 (2) (a) 6, 146.025 (2) (a) 7, 146.025 (2) (am) 2, 146.025 (5) (a) 16, 146.025 (5) (a) 17, 146.025 (5) (a) 18, 146.0275 (2) (b), 146.0275 (3), 146.19, 146.70 (3) (b) 8, 146.70 (3) (cm), 146.81 (2) (b) and (c), 146.819, 146.882, 146.89 (3m), 146.89 (5), 153.05 (6m), 157.062 (9), 157.11 (9g) (title), 157.11 (9g) (a) l. c., 157.11 (9m) (title), 157.11 (11), 157.12 (2) (c) 2, 157.128 (3), 157.19 (5) (b), 157.19 (7), 157.625, 159.01 (2m), 159.33, 165.25 (6) (c), 165.70 (3m), 167.26 (1) (b), 168.12 (1g), 180.0122 (3) (c), 180.0502 (1) (c), 180.1531 (2) (c), 180.1622 (5), 180.1921 (4), 185.981 (8m), 195.001 (2m), 196.207, 218.04 (9g), 218.10 (1t), 218.10 (8m), 218.101, 230.08 (2) (e) 4m, 230.08 (2) (m) 2m, 230.08 (2) (p) 1, 230.13 (2), 234.49 (1) (hm), 234.49 (2) (a) 10, 301.28 (3), 301.40, 302.38 (3) (b), 303.01 (10), 341.08 (1m), 341.17 (9), 341.36 (1m), 342.06 (1) (i), 343.10 (10) (am), 343.14 (2m), 343.17 (3) (a) 12, 343.235, 343.237, 343.24 (4), 343.51 (1m), 344.08 (3), 344.09 (3), 344.14 (1g), 344.18 (1m), 344.18 (3m), 344.18 (3r), 344.19 (3g), 344.19 (3m), 344.40 (1) (b), 344.41 (1m), 344.41 (3) (b), 349.02 (2) (b) 4, 350.11 (1) (b), 350.11 (2) (b), 440.92 (10), 560.33, 560.602, 560.605 (5m), 560.605 (6) and (7), 560.68 (5m) and (7), 560.835 (6) and (7), 560.875 (2) (b), chapter 561, 562.01 (1), 562.01 (3e), 562.01 (13m), 562.11 (2) (a) and (b), 563.05 (title), 563.05 (4) to (6), 564.02 (2) (g) and (2m), 565.01 (1), 565.02 (6), 565.02 (7), chapter 569, 601.465, 605.35, 619.10 (1m), 619.12 (2) (d), 619.14 (2) (c), 619.14 (5) (d), 619.145, 619.15 (3) (e), 619.15 (4) (d), 619.15 (4) (e), 619.16 (3) (em), 628.02 (4g), (4m) and (4p), 628.04 (5), 628.49, 631.89, 632.37, 632.725, 632.87 (3) (b) and (c), 632.87 (4), 632.89 (1) (b), 632.89 (1) (c), 632.89 (1) (d), 632.895 (10), 757.81 (2), 758.15, 779.97 (2) (c) 2 and 3, 779.97 (9), 823.085, 857.035, 893.82 (2) (d) Ir, 895.46 (5) (b), 895.54, 901.05 (3), 908.03 (6m) (d), 968.34 (2m), 968.38, 971.17 (4m), 971.17 (6m), 973.06 (1) (h), 977.03 (2), 977.05 (4r) and 979.01 (1) of the statutes; and to affect 1988 Wisconsin Act 336, section 4; 1991 Wisconsin Act 39, section 9101 (4mx) (a) (intro.); 1991 Wisconsin Act 39, section 9101 (4mx) (a) 1 to 3; 1991 Wisconsin Act 39, section 9101 (4mx) (b); 1991 Wisconsin Act 39, section 9101 (9c); 1991 Wisconsin Act 39, section 9108 (20); 1991 Wisconsin Act 39, section 9108 (22g); 1991 Wisconsin Act 39, section 9125 (18) (b); 1991 Wisconsin Act 39, section 9125 (15f), as; 1991 Wisconsin Act 39, section 9125 (18) (a); 1991 Wisconsin Act 39, section 9125 (19g); 1991 Wisconsin Act 39, section 9125 (2j) (b); 1991 Wisconsin Act 39, section 9125 (2j) (c); 1991 Wisconsin Act 39, section 9125 (2j) (d); 1991 Wisconsin Act 39, section 9125 (2j) (e); 1991 Wisconsin Act 39, section 9125 (2j) (f); 1991 Wisconsin Act 39, section 9125 (2j) (g); 1991 Wisconsin Act 39, section 9125 (2j) (h); 1991 Wisconsin Act 39, section 9125 (20g); 1991 Wisconsin Act 39, section 9140 (1g); 1991 Wisconsin Act 39, section 9142 (11q); 1991 Wisconsin Act 39, section 9155 (1q); 1991 Wisconsin Act 39, section 9155 (13p) (a); 1991 Wisconsin Act 39, section 9155 (13p) (b); 1991 Wisconsin Act 39, section 9160 (1xg) (b); 1991 Wisconsin Act 39, section 9160 (5xy); 1991 Wisconsin Act 39, section 9349 (2x); 1991 Wisconsin Act 39, section 9425 (4g); 1991 Wisconsin Act 39, section 9458 (1); and 1991 Wisconsin Act 80, section 17 (2), relating to: modifying the property tax deferral program and transferring it to the department of administration; placing certain prison industries sales personnel in the state unclassified civil service and authorizing their salaries and commissions; stopping or inspecting vehicles to enforce certain state and local laws; imposing the real estate transfer fee on land contracts when they are recorded; lapses and expenditure reestimates affecting certain appropriations made to state agencies from general purpose revenue; lapsing an amount from repayments of Wisconsin development fund loans; increasing the rate of the cigarette tax; the due dates for payments of sales tax collections and amounts withheld for income tax purposes; construction of a parking ramp in the city of Madison; funding for the Frank Lloyd Wright Monona terrace project in the city of Madison; providing financial assistance to Forest county for payment of an arbitration award; the authority of a county executive to veto all or part of the annual county budget; an interpretative and administrative center in the Horicon marsh area; the method of setting fees for parking at state facilities; authorized uses for state parking facility revenues; purchase, remodeling and sale of a state office building in the Madison area; property tax relief credit for mobile homes; loaning of items from the collections of the historical society; security services for the historical society headquarters building; abolishing the board on the U.S.S. Wisconsin; elimination of various health-~~

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related programs and allocations and the allocation of moneys to alcohol and other drug abuse treatment and prevention programs; protective grade crossings and railroad historical societies; regional educational telecommunications networks; foster care supplemental payments; a tax exemption for sales by schools; transferring certain trade and consumer protection responsibilities from the department of agriculture, trade and consumer protection to the department of justice and changing the name of the department of agriculture, trade and consumer protection, a nonstock, nonprofit corporation that raises funds for the Wisconsin radio and television networks; regulating solicitations that promise the awarding of a prize; equipment for certain communications towers for the instructional television fixed service system; early intervention services to handicapped children and their families; authorizing the department of health and social services to expend not more than a certain amount for grants to domestic abuse service organizations; the appropriation and allocation of federal child care and development block grant funds; the allocation of federal job opportunities and basic skills child care funds; matching funds for the Robert Wood Johnson Foundation grant for severely emotionally disturbed children; determination of income and assets for aid to families with dependent children; review of inpatient psychiatric care under the medical assistance program; medical assistance administration and eligibility determinations; creating a medical assistance services council; the amount that a county or tribal governing body may retain from a recovered food stamp overpayment; membership of the state capitol and executive residence board; the method of financing information technology services provided by the department of administration; transferring the incumbent in a position from the educational communications board to the department of administration; income tax extensions; the discount given to retailers for collecting the sales tax and the use tax; corporate income and franchise tax credit and offset provisions for certain low-income housing projects; the penalty for failing to file a sales tax or use tax return; the penalty for underreporting the value of property that is required to be registered or titled; creating an individual income tax deduction for certain medical care insurance costs paid by certain persons; providing individual income tax payers with the option of receiving a postcard with an identification label instead of a tax form and booklet; eligibility for the earned income tax credit; increasing the late filing fee for individual and corporate tax returns; repealing an initial applicability provision that does not apply to any statutory section; certificates of title for boats and security interests in boats; changing the definition of snowmobile; supplemental payments for maintenance of snowmobile trails; snowmobile law enforcement and safety; increasing the state aid formula for mass transit operating expenses; increasing the aid rate per mile for local transportation aids; permitting petitions to the court to modify protective placement orders; a lapse of county sales tax administrative revenue; an engineering certification requirement for certain highway improvements; permitting certain county trunk highway or town road improvements to be performed by county highway departments; permitting a city, village or town to contract with a county for certain highway improvements; authorizing a county executive to appoint alternate members of a county planning and zoning commission; adopting internal revenue code provisions for income and franchise tax purposes; the total amount of shared revenue distributions; maximum monthly charges for 911 emergency service systems; caller identification services; corporate law revisions; motor vehicle dealer franchise terminations; electronic filing of federal tax liens; secured transactions filing fees; investment authority; collection agency trust accounts; reinstatement of certain foreign corporation's certificate of authority; property tax relief credits; tax rate disparity payment distribution dates and adjustment procedure; lottery credit distribution dates; shared revenue maximum payments; shared revenue population estimates; creating an energy efficiency program; providing grants to the committees on area promotion, American Indian economic development and tourism promotion; providing a grant to the Kewaunee tourist information center; underwater archaeology and submerged cultural resources; creating a submerged cultural resources council; transferring moneys from the Wisconsin development reserve fund; creating a metropolitan planning grant program; awarding grants or loans for expanding technology-based incubators; a contract for dental education with Marquette dental school; inmate wages; products made by inmates; correctional officer training; investigations regarding prison inmate deaths; creating an inmate death investigation board; jail and correctional system impact estimates; the date on which county assessment aid is paid; the funding source for a position in the legislative audit bureau; emergency medical services; fees for tests conducted by the state laboratory of hygiene; removing the right to carry forward moneys from one calendar year to the next for relocation services for mentally ill persons; the early intervention program for high-risk youths; recycling surcharge administration; an exemption from the recycling surcharge; imposition of fees by solid waste management boards; the Wisconsin job opportunity business subsidy program; interdistrict special transfer bonus aid; proposing legislation related to penalties for violations of the child labor laws; financial hardship assistance to certain school districts; school district eligibility for preschool to grade 5 program grants; minimum aid to school districts; pupils enrolled in day care centers under contract with the Milwaukee public schools; authorizing the Milwaukee school board to contract with other governmental units; funding for alternative schools in the Durand and Blair school districts; state aid for handicapped

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education transportation; the licensure of school business administrators by the state superintendent of public instruction; the Wisconsin educational opportunity program; the educational assessment program; educational program reviews; management restructuring programs; grants for collaborative service programs and projects; grants for mathematics and science programs; grants for staff development; state aid incentives for school district consolidation; a uniform pupil transcript; advanced placement examinations; head start supplements; the postsecondary enrollment options program; community service activities; the pupil minimum competency testing program; the school performance report; school district audits; creating a student readiness study committee and a committee on educational goals; coordinating and publicizing the exchange of teachers and school administrators; pupil participation in school activities; the annual meeting of the Milwaukee school board; ~~the disclosure of college entrance examinations;~~ adding a priority criterion for awarding grants and loans from the Wisconsin development fund; the institutional matching requirement under the academic excellence higher education scholarship program; eliminating the requirement that the board of regents of the university of Wisconsin system conduct research on supplemental bovine somatotropin; ~~reserving Wisconsin development fund money for grants and loans to small businesses;~~ lapsing an amount appropriated to the department of development for tourism; administration of the state health insurance pilot projects; controlled substances; child enticement; drug enforcement; law enforcement; notification to crime victims; disposal of firearms or ammunition; district attorneys; reports by private security personnel at airports; reimbursement to private counsel in cases assigned by the state public defender; grants for the costs of salaries and fringe benefits of drug enforcement officers; trust lands and investments; ~~municipal transportation of jail prisoners for medical or hospital care;~~ department of employment relations publications; use of property acquired by the department of transportation; regulating by permit the use of rail corridors; payments to the medical college of Wisconsin, inc., for health manpower training; ~~allowing the state supplement to the women, infants and children program to be transferred between fiscal years;~~ domestic abuse identification training grant; reversion of certain program revenues to the general fund; insurance coverage of dental services; insurance coverage of chiropractic services; increase in marriage license fee; prohibiting the use of genetic tests for insurance coverage; ~~requiring insurance coverage of partial hospitalization for the treatment of nervous and mental disorders and alcoholism and other drug abuse problems;~~ requiring the department of health and social services to certify partial hospitalization programs; ~~prohibiting operation of uncertified partial hospitalization programs;~~ requiring insurance coverage of endometriosis, including infertility treatment for the treatment of endometriosis; collecting court fees for tax warrants; community youth and family aids; misconduct or disability of court commissioners; national guard tuition grants; national guard rules; payments for the veterans memorial at The Highground; ~~retraction of libelous matter;~~ levels of support for libraries by counties and municipalities; membership on library boards; prohibiting disclosure of the identity of public library borrowers and users; privacy of personally identifiable information in state and local governmental records; disclosure of patient health care records; humane treatment of animals; fishing by persons born before January 1, 1927; exemptions from holding wild turkey hunting approvals; tagging of sturgeon that have been caught by spearing; enrollment periods for Wisconsin conservation corps members with disabilities; conservation corps crews for general relief recipients; eligibility for urban forestry grants; use of bicycles in state parks and in the Kettle Moraine state forest; nondisclosure of information in insurance matters; licensing and regulation of managing general agents and reinsurance agents; a loan from the local government property insurance fund to the general fund; ~~creating a mass transit capital assistance program;~~ ~~creating a bicycle and pedestrian facilities capital assistance program;~~ the contents of operators' licenses and identification cards issued by the department of transportation; a lapse of program revenue in the office of the commissioner of banking; guideline matrices provided by ~~and information provided for~~ the sentencing commission; composition of the Wisconsin health education loan repayment fund; seed labeler license fees; discrimination in milk pricing; creating an agricultural chemical cleanup council; licensing of commercial pesticide application businesses and of dealers and distributors of restricted use pesticides; reimbursement for clean-up costs from the discharge of certain ~~fertilizers and pesticides;~~ assessing manufacturing property; discontinuing the property tax exemption for student loan collection agencies; reports on property that produces unrelated business income; ~~property taxed in part;~~ the property tax exemption for mobile homes; the deadline for property tax exemption reports; a lapse to the general fund from the appropriation for gasoline vapor recovery grants; fees for stationary sources of air pollution; reimbursement for costs incurred because of discharges from petroleum storage tanks; contracting for the implementation of a certain long-range plan affecting the Fox river and the Winnebago pool; authorizing cities, villages and towns to create architectural conservancy districts; establishing municipal boundaries under a cooperative plan; the annual earnings period for judges under the Wisconsin retirement system; creating a historical markers program; a feasibility study of an exhibit on the Black Hawk War; a management and efficiency study of the department of natural resources; ~~inpatient care for veterans at King;~~ the training of secure detention facility superintendents; ~~request for proposal procedures for the provision of one or more secured correctional facilities for delinquent girls;~~ elimination of the

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authority to carry forward community aids moneys due to an audit adjustment; day care programs for student parents; ~~creating a mediation council~~; mediator certification of mediation agreements; increasing certain court fees; specifying that computer programs except custom programs are subject to the sales tax and use tax; instruction permits for commercial motor vehicle or school bus operation; requiring the submission of a gypsy moth eradication plan as a condition of the expenditure of appropriated moneys; ~~daily plant payments to milk producers for milk received from those milk producers~~; milk procurement fees; creating a multifamily dwelling code council in the department of industry, labor and human relations; adopting a statewide multifamily dwelling code; directing the department of industry, labor and human relations to assign not less than one additional full-time equivalent position to provide alternative dispute resolution of complaints filed under the fair employment law; provisional alcohol beverage operators' licenses; the presence of underage persons on premises for which a temporary Class "B" license is issued; certain floodplain and shoreland zoning ordinances for Pierce county regulating improvements to nonconforming buildings or buildings with nonconforming uses; the control of aquatic nuisance species in the waters of this state; creating an aquatic nuisance control council; recreational boating aids; the estimated motorboat gas tax payment; lake management planning grants; lake management grants; ~~regulating parking and the payment of certain costs of an improvement project on Appleton avenue in Milwaukee county~~; creating an urban rivers grant program; a sea lamprey barrier at the Rapide Croche lock on the Fox river; the reopening of the Portage canal; the reconstruction of Fort Winnebago; funding for a bridge in Adams county; plan for the prevention of the spread of Eurasian water milfoil; commercial deer farms; venison retailer permits; ~~the detection and control of tuberculosis in certain types of deer~~; the inspection of the meat of certain types of deer; small municipality shared revenue payments; medical assistance coverage of care coordination for pregnant women; valuation of the accumulated unused sick leave of a state constitutional officer, member or officer of the legislature, head of a state agency who is appointed by the governor or head of a legislative service agency for the payment of his or her postretirement health insurance premiums under the state group health insurance program; ~~excluding the Wisconsin Counties Association from participation in the Wisconsin retirement system~~; creating a gaming commission; drugs present in the bodies of race animals; simulcasts of horse and dog races from out-of-state racetracks; the meaning of ownership and operation of a racetrack at which, and of sponsorship and management of a race on which, pari-mutuel wagering is conducted; supplementing or decreasing payments to certain nursing homes for care provided to medical assistance recipients; a statewide lien system report; grain dealer bond and security requirements; certification for the use, and restrictions on the sale, of synthetic bovine somatotropin and reporting requirements for milk processors who receive milk produced from cows that have been administered synthetic bovine somatotropin; specific information highway signs on USH 53 and the tri-county expressway; a grant to a central Wisconsin entrepreneurial development center to promote trade and joint ventures with businesses in Russia; reimbursement of certain utility-related costs associated with the Lake Arterial project in Milwaukee county; community-based economic development grants to the city of Beloit for riverfront development; an urban industrial park grant; provision of health insurance data collection and analysis services to the group insurance board by the office of health care information; enforcement of gaming laws by the department of justice; creating a division of criminal investigation in the department of justice; ~~law library evaluation~~; assuring financial responsibility for the operation of certain motor vehicles; the revocation of motor vehicle operating privileges and vehicle registrations for failure to deposit security; requiring insurers to pay health care providers directly when an insured has assigned insurance benefits; labeling environmentally preferred products and packaging; postponing implementation of automatic reinstatement assessments for the suspension of motor vehicle operating privileges; providing information and education to small businesses regarding hazardous waste management; eligibility of utility districts for assistance from the clean water fund; grants for small point source projects; the requirement that landfill operators use certain material as daily cover; recycling loans and minority business recycling development grants and loans; a grant to the General Mitchell international airport; disposing of yard waste; medical assistance reimbursement for home health services; increasing the amount of public debt that the building commission may contract for related to veterans mortgage refunding bonds; the date on which certain unencumbered moneys appropriated for racing special programs will lapse to the general fund; the additional oil inspection fee; state aid for driver education programs; authorizing the use of office of justice assistance funds for a law enforcement grant to a city having a population of more than 150,000 and less than 500,000; appointment of a municipal judge; increasing the number of circuit court branches; eligibility requirements for reserve judges; reserve judge compensation; a grant to a town from the investment and local impact fund; child support receiving and disbursing fee; grants to retired senior volunteer programs that provide services to homebound veterans; health care treatment of Vietnam veterans; grants for housing for homeless veterans; requiring a loan from the veterans trust fund to the general fund; actions finding solid waste facilities to be nuisances; eligibility for dump closure cost-sharing grants; private security permit fees; recovery of medical assistance benefits;

grants to the city of West Allis for the provision of crowd and traffic control services related to events held at the state fair park; minor technical changes to the designation of state park names; the regulation of cemeteries and cemetery salespersons and the deposit and investment of cemetery care funds; exempting certain cemeteries from filing annual financial reports with the department of regulation and licensing; the state health insurance risk sharing plan; restrictions on requiring insureds to use particular vendors for repair or replacement of motor vehicle glass and granting rule-making authority; the validity of licenses for pawnbrokers, secondhand article dealers and secondhand jewelry dealers and requirements for obtaining a secondhand article dealer mall or flea market license; future service contracts; the capital access program; authorized copying of vital records; benefit specialist services; guardianship grants; identification of firewalls; permitting participation in a community integration program for a person with mental retardation through services of a family consortium; ~~the capacity building for treatment programs, providing retrospective payment for medical assistance services in an intermediate care facility for the mentally retarded, the maintenance, deletion or destruction of patient health care records when certain health care providers cease practice or business as a health care provider or die; unguarded ice holes; an independent living center; certain volunteer health care providers as state agents; requiring the testing for sexually transmitted diseases and for human immunodeficiency virus of certain persons; making various changes to laws concerning testing for the presence of human immunodeficiency virus; health insurance premium subsidies for individuals infected with human immunodeficiency virus; changing appropriations of federal moneys for funding alcohol and other drug abuse capacity building and community education programs; residential facilities under the community housing alternative program; creating a volunteer health care provider program in Milwaukee county; creating a council on American Indian health; preparation of an American Indian health plan; cooperative American Indian health projects; imposing assessments on certain facilities; maternal and child health block grant funds; exempting units of government from property tax exemption reports for certain types of forests; preventive health services project grant funds; services for homeless and runaway children and adolescents; suspension of unemployment compensation extended benefits and Wisconsin supplemental benefits under certain conditions; funding for an environmental health laboratory at the university of Wisconsin-Superior; conflicts of interest by local public officials; disclosure of certain agency relationships by state public officials; the procedure for conducting recall elections when more than one office of the same designation is contested; limitations upon acquisition of housing at the university of Wisconsin-Parkside; creation of a Wisconsin sesquicentennial commission; state employment worker's compensation case management; academic excellence higher education scholarships; certain physicians as agents of the department of health and social services; ~~holding for children's health care services;~~ a sports medicine, spine center and cardiac rehabilitation facility at the university research park in the city of Madison; restoration of the state capitol building; review and approval of building projects for the university of Wisconsin system; the procedure for responding to requests for access to public records; transitional housing grants; expanding breast cancer screening program services; the regulation of those mobile home dealers and salespersons engaged in the sale of primary housing units; consideration of personal privacy interests when deciding whether to permit inspection and copying of public records; access to the identities of applicants for public offices or employment; furnishing certain things of value to certain candidates; programs conducted by the ethics board; relocation plans required when persons may be displaced as a result of condemnation proceedings; ~~the acquisition of certain property by a municipally owned public utility;~~ the applicability of the code of ethics for local governmental officials to members of certain committees; adjustment of authorized positions for state agencies; providing exemptions from emergency rule procedures; granting bonding authority; granting rule-making authority; providing for a study; providing penalties; and decreasing and making appropriations.~~

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

SECTION 1e. 9.10 (5) (a) of the statutes is amended to read:

9.10 (5) (a) The recall primary or election of more than one official may be held on the same day. If more than one official of the same office designation elected at large or for the same term from the same district or territory is the subject of a recall petition, ~~the names of all candidates for the office shall appear jointly with instructions to electors to vote for the number of positions contested there shall be a separate election contest for the position held by each official. Candidates shall designate which position they are seeking on~~

their nomination papers. Instructions shall appear on the ballot to electors to vote for each position separately.

~~SECTION N. 13.48 (7) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:~~

~~13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare and formally adopt recommendations for the long-range state building program on a biennial basis and shall transmit those recommendations for the succeeding fiscal biennium that require legislative approval to the joint committee on finance in the form of proposed legislation prepared in proper form. No building project for the university of Wisconsin system may be adopted by the~~

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Vetoed in Part SECTION 1g. 13.48 (10) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

~~13.48 (10) APPROVAL BY BUILDING COMMISSION. No state board, agency, officer, department, commission or body corporate may enter into a contract for the construction, reconstruction, remodeling of or addition to any building, structure, or facility, which involves a cost in excess of \$100,000, without completion of final plans and arrangement for supervision of construction and prior approval by the building commission. The building commission may not approve a contract for the construction, reconstruction, renovation or remodeling of or an addition to a state building as defined in s. 44.51 (2) unless it determines that s. 44.57 has been complied with or does not apply. This section applies to the department of transportation only in respect to buildings, structures and facilities to be used for administrative or operating functions. This subsection does not apply to contracts by the department of natural resources for construction work related to hazardous substance spill response under s. 144.76 or environmental repair under s. 144.442. This subsection does not apply to projects approved by the governor in response to emergency situations under s. 16.855 (16) (b) or to allocations from the appropriation made under s. 20.867 (2) for special category projects when the building commission has released funds under sub. (3) and has also approved a plan for the expenditure of those funds. "Special category projects" for the purpose of this subsection include but are not limited to projects such as special maintenance, energy conservation, handicapped access and advance property acquisition designated by the building commission. This subsection does not apply to energy efficiency projects of the energy efficiency program under s. 16.847.~~

SECTION 1p. 13.48 (14) (e) of the statutes is created to read:

13.48 (14) (e) If the state office building located at 3319 West Beltline highway in Dane county is sold by the state, the building commission shall ensure that the transferee pays \$476,228 from the proceeds of the sale to the Wisconsin Public Broadcasting Foundation, if the foundation exists at the time of the transfer.

Vetoed in Part SECTION 1pa. 13.483 of the statutes is created to read:

~~13.483 University of Wisconsin system building projects. The legislature shall not approve enumeration of any building project for the university of Wisconsin system unless the project is developed and approved by the board of regents of the university of Wisconsin system in conformity with s. 36.11 (25) and rules promulgated under that subsection.~~

SECTION 1pag. 13.58 of the statutes is created to read:

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~~13.58 Jail and correctional system impact estimates. (1) In this section:~~

~~(a) "County jail" includes a Huber facility or house of correction.~~

~~(b) "Department" means the department of corrections.~~

~~(c) "Prisoner population" means the number of prisoners in state prisons under s. 302.01 plus the number of prisoners in county jails.~~

~~(2) Any bill that meets any of the following conditions is subject to the requirements of subs. (3) and (4):~~

~~(a) The bill creates a criminal offense for which a sentence to a county jail or Wisconsin state prisons may be imposed.~~

~~(b) The bill increases the maximum period of imprisonment for an existing criminal offense and, under the revised penalties provided in the bill, a sentence to a county jail or Wisconsin state prisons may be imposed.~~

~~(c) The bill requires that a criminal offender be imprisoned in a county jail or Wisconsin state prisons.~~

~~(3) The department shall provide a jail and correctional system impact estimate regarding any bill described in sub. (2). The estimate shall describe the probable impact of the bill on the prisoner population, the department's budget and county budgets. The estimate shall be as precise and concise as possible and shall include the immediate effect and, if reasonably foreseeable, the long-range effect of the bill. Except as otherwise provided by joint rules of the legislature, the department shall prepare the estimate within 10 working days after the date it receives the bill. The estimate shall be printed and distributed in the manner provided for the printing and distribution of amendments.~~

~~(4) No public hearing before a standing committee may be held and no committee vote may be taken regarding any bill described in sub. (2) unless the estimate under sub. (3) has been prepared.~~

SECTION 1pak. 13.625 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

13.625 (3) No candidate for an elective state office, elective state official, agency official or legislative employe of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b) 3 and (c), (2), (4), (5), (6), (7), (8) and (9). No personal campaign committee of a candidate for state office may accept anything of pecuniary value from a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b) 3 and (c), (2) and (6).

SECTION 1paL. 13.625 (4) of the statutes is created to read:

13.625 (4) Subsections (1) (b) and (3) do not apply to the compensation or furnishing of employe benefits

by a principal to an employee who is a candidate for an elective state office but who does not hold such an office if the employee is neither an agency official nor legislative employee, and if the principal or employee can demonstrate by clear and convincing evidence that the principal's employment of the employee and the compensation and employee benefits paid to the employee are unrelated to the candidacy. If the employee was employed by the principal prior to the first day of the 12th month commencing before the deadline for the filing of nomination papers for the office sought and the employment continues uninterrupted, without augmentation of compensation or employee benefits, except as provided by preexisting employment agreement, it is rebuttably presumed that the employment and compensation and benefits paid are unrelated to the candidacy.

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~~SECTION 1pb. 13.94 (1) (bm) of the statutes is amended 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, and 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 and priority lakes planning methods, priority watershed and priority lakes selection, program and budget management of priority watershed and priority lakes projects and project and program evaluation methods.~~

SECTION 1pc. 13.94 (1) (dp) of the statutes is repealed.

SECTION 1pd. 13.94 (1) (em) of the statutes is amended to read:

13.94 (1) (em) Annually, conduct a financial audit of the gaming commission that includes a financial audit of the state lottery, and, to the extent of the lottery board's gaming commission's participation, of any multistate lotteries in which the state participates, and biennially conduct a performance audit of the gaming commission that includes a performance audit of the state lottery and, to the extent of the lottery board's gaming commission's participation, of those multistate lotteries, as provided in s. 565.37 (1). The legislative audit bureau shall file a copy of each audit report under this paragraph with the department of justice and with the distributees specified in par. (b).

SECTION 1pe. 13.94 (1) (n) of the statutes is created to read:

13.94 (1) (n) Provide periodic performance audits of any division of the department of industry, labor and human relations that is responsible for inspections of multifamily housing under s. 101.973 (11).

SECTION 1pg. 13.94 (1s) (b) of the statutes is amended to read:

13.94 (1s) (b) The legislative audit bureau may charge the lottery board gaming commission for the

reasonable costs of the audits required to be performed under sub. (1) (em) and for verification of the odds of winning a lottery game under s. 565.37 (5).

SECTION 1r. 14.015 (title) of the statutes is amended to read:

14.015 (title) Same; attached boards and commissions.

SECTION 1rm. 14.015 (2) of the statutes is created to read:

14.015 (2) **WISCONSIN SESQUICENTENNIAL COMMISSION.** There is created a Wisconsin sesquicentennial commission which is attached to the office of the governor under s. 15.03. The commission shall consist of the following members appointed by the governor:

(a) One citizen residing in each congressional district in this state.

(b) A representative of the university of Wisconsin system.

(c) A representative of the historical society.

(d) Two senators and 2 representatives to the assembly, one of each of whom shall be a member of the majority party and one of each of whom shall be a member of the minority party.

(e) One representative of each of the following communities:

1. Agriculture.
2. Arts.
3. Conservation.
4. Industry.
5. Labor.
6. Recreation.

SECTION 1rs. 14.26 of the statutes is created to read:

14.26 Wisconsin sesquicentennial commission. (1) The Wisconsin sesquicentennial commission shall make appropriate plans and preparations for the commemoration of the 150th anniversary of Wisconsin statehood.

(2) The commission shall report to the governor regarding its activities upon the governor's request.

(3) Upon request of the commission, all state agencies, as defined in s. 20.001 (1), shall cooperate with the commission in the performance of its functions.

(4) The commission shall ensure full participation by the university of Wisconsin system in the sesquicentennial and shall make appropriate arrangements to coordinate commemorative activities with activities conducted to commemorate the sesquicentennial of the university of Wisconsin system.

(5) In making appointments to the commission, the governor shall designate a chairperson. The commission shall elect a vice chairperson and secretary from its membership.

(6) The commission shall report to the governor upon completion of its activities and, upon acceptance of the report by the governor, the commission shall cease to exist.

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~~SECTION 1r. 14.38 (12) of the statutes is amended to read:~~

~~14.38 (12) DISCRIMINATION BY CORPORATIONS. If a complaint is made to the secretary of state that any corporation authorized to do business in this state is guilty of discrimination under s. 190.22, refer the matter to the department of agriculture, and trade and consumer protection, which shall, if the facts justify it in its judgment, cause appropriate administrative or judicial proceedings to be commenced against the corporation and its officers and members.~~

~~SECTION 1s. 14.82 (1) (intro.) of the statutes is amended to read:~~

~~14.82 (1) MINNESOTA-WISCONSIN. (intro.) There is created a commission of 5 citizens nominated by the governor, and with the advice and consent of the senate appointed, for staggered 5-year terms, to represent this state on the joint Minnesota-Wisconsin boundary area commission. Any vacancy shall be filled for the balance of the unexpired term. To assist the commission, there is created a legislative advisory committee comprising 4 senators and 6 representatives to the assembly appointed as are the members of standing committees in their respective houses, and a technical advisory committee of 2 members appointed by the governor and one member each appointed by the governing board or head of the following agencies: the department of justice, the department of administration, the department of agriculture, and trade and consumer protection, the department of natural resources, the department of health and social services, the public service commission and the department of development. The members of the commission and the members of its advisory committees shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties, from the appropriation made by s. 20.315 (1), on vouchers approved by the Wisconsin member of the commission selected to serve as its chairperson or vice chairperson. All other expenses incurred by the commission in the course of exercising its powers and duties, unless met in some other manner specifically provided by statute, shall be paid by the commission out of its own funds.~~

SECTION 1z. 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 Milwaukee river revitalization council has the powers and duties specified in s. 23.18 and, the council on physical disabilities has the powers and duties specified in s. 46.29 (1) and (2) and the privacy council has the powers specified in s. 19.625.

SECTION 3r. 15.06 (1) (f) of the statutes is created to read:

15.06 (1) (f) Members of the gaming commission shall be nominated by the governor, and with the advice and consent of the senate appointed, for 4-year terms expiring on July 1.

~~SECTION 6m. 15.07 (1) (a) 7 of the statutes is created to read:~~

~~15.07 (1) (a) 7. Members of the inmate death investigation board shall be appointed as provided in s. 15.72.~~

SECTION 6r. 15.07 (1) (b) 7 of the statutes is repealed.

SECTION 7. 15.07 (2) (c) of the statutes is repealed.

~~SECTION 7c. 15.07 (3) (a) of the statutes is renumbered 15.07 (3) (a) 1 and amended to read:~~

~~15.07 (3) (a) 1. If Except as provided in subd. 2, if a department or independent agency is under the direction and supervision of a board, the board shall meet quarterly and may meet at other times on the call of the chairman or a majority of its members.~~

~~SECTION 7d. 15.07 (3) (a) 2 of the statutes is created to read:~~

~~15.07 (3) (a) 2. The inmate death investigation board shall meet on the call of the chairperson or a majority of the members of the board.~~

SECTION 7g. 15.07 (4) of the statutes is amended to read:

15.07 (4) QUORUM. A majority of the membership of a board constitutes a quorum to do business and, unless a more restrictive provision is adopted by the board, a majority of a quorum may act in any matter within the jurisdiction of the board. This subsection does not apply to actions of the ethics board, or the school district boundary appeal board, the lottery board or the racing board as provided in ss. 19.47 (4), and 117.05 (2) (a), 562.02 (3) and 565.02 (5).

~~SECTION 7gm. 15.07 (5) (d) of the statutes is amended to read:~~

~~15.07 (5) (d) Members of the board of agriculture, and trade and consumer protection, not exceeding \$35 per day as fixed by the board with the approval of the governor, but not to exceed \$1,000 per year.~~

SECTION 7h. 15.07 (5) (m) of the statutes is repealed.

SECTION 7i. 15.07 (5) (u) of the statutes is repealed.

SECTION 7j. 15.07 (5) (v) of the statutes is repealed.

SECTION 8. 15.105 (5) of the statutes is amended to read:

15.105 (5) 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

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of the historical society or the director's designee, an architect or engineer employed by the department of administration appointed by the secretary of administration, 3 senators and 3 representatives to the assembly appointed as are the members of standing committees in their respective houses, and 7 citizen members 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 3 shall be interior designers.

Vetoed in Part SECTION 8m. 15.105 (12) (a) 1 of the statutes is amended to read:

15.105 (12) (a) 1. The secretaries of the departments of industry, labor and human relations, of transportation, of agriculture, and trade and consumer protection and of development or their formally appointed designees.

SECTION 9. 15.105 (13) of the statutes is repealed.

Vetoed in Part SECTION 9m. 15.105 (16) (b) 1 of the statutes is amended to read:

15.105 (16) (b) 1. The secretary of administration, the secretary of agriculture, and trade and consumer protection, the secretary of natural resources and the secretary of transportation, or their designees.

SECTION 10m. 15.105 (18) (c) of the statutes is amended to read:

15.105 (18) (c) *Liaison representatives.* The secretary of agriculture, and trade and consumer protection, the secretary of health and social services, the secretary of industry, labor and human relations, the secretary of natural resources and the chancellor of the university of Wisconsin extension, or a designee of such a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin conservation corps board, and provide information to and assist the board. The liaison representatives are not board members and may not vote on any board decision or action.

SECTION 11. 15.107 (13) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 15.107 (13) (intro.) and amended to read:

15.107 (13) **PRIVACY COUNCIL.** (intro.) There is created a privacy council attached to the department of administration under s. 15.03 consisting of 7 the following 9 public members appointed to staggered 3-year terms:-

SECTION 12. 15.107 (13) (a) and (b) of the statutes are created to read:

15.107 (13) (a) Four members appointed by the governor.

(b) Five members appointed by the governor, one of whom shall be nominated by each of the following:

1. The chief justice of the supreme court.
2. The president of the senate.
3. The senate minority leader.
4. The speaker of the assembly.
5. The assembly minority leader.

Vetoed in Part SECTION 12c. 15.13 of the statutes is amended to read:

~~15.13 (title) Department of agriculture and trade, creation.~~ There is created a department of agriculture, and trade and consumer protection under the direction and supervision of the board of agriculture, and trade and consumer protection. The board shall consist of 6 members with an agricultural background and one member who is a consumer representative, appointed for staggered 6-year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

SECTION 12e. 15.135 (3) of the statutes is amended to read:

15.135 (3) **ANIMAL HEALTH AND DISEASE RESEARCH BOARD.** There is created an animal health and disease research board attached to the department of agriculture, and trade and consumer protection under s. 15.03. The board shall consist of the dean of the school of veterinary medicine, the director of the agricultural experiment station at the university of Wisconsin-Madison and the chief veterinarian of the department of agriculture, and trade and consumer protection, or their designees, and one public member appointed for a 3-year term.

SECTION 12g. 15.135 (4) (a) of the statutes is amended to read:

15.135 (4) (a) *Creation.* There is created a land conservation board which is attached to the department of agriculture, and trade and consumer protection under s. 15.03.

SECTION 12j. 15.135 (4) (b) 1 of the statutes is amended to read:

15.135 (4) (b) 1. The secretaries of administration, of natural resources and of agriculture, and trade and consumer protection or their designees.

SECTION 12m. 15.135 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

15.135 (5) **FARM MEDIATION AND ARBITRATION BOARD.** There is created a farm mediation and arbitration board which is attached to the department of agriculture, and trade and consumer protection under s. 15.03. The board shall consist of the secretary of agriculture, and trade and consumer protection or the secretary's designee, the commissioner of banking or the commissioner's designee and a member appointed by the governor to serve at the pleasure of the governor.

SECTION 12p. 15.137 (1) of the statutes is amended to read:

15.137 (1) **COUNCIL ON LOCAL RABIES CONTROL PROGRAMS.** There is created in the department of agriculture, and trade and consumer protection a council on local rabies control programs consisting of 8 members appointed by the secretary of agriculture, and trade and consumer protection. One member shall be a representative of the state laboratory of hygiene, one

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shall be a representative of the department of health and social services and one shall be a representative of the department of agriculture, and trade and consumer protection. Five of the members shall be appointed for 3-year terms and shall include 2 representatives from municipal rabies control programs, 2 representatives from county rabies control programs and one representative of the veterinary medical society. This subsection does not apply after June 30, 1991.

SECTION 12r. 15.137 (2) of the statutes is amended to read:

15.137 (2) ANIMAL HEALTH AND DISEASE RESEARCH COUNCIL. There is created in the department of agriculture, and trade and consumer protection an animal health and disease research council consisting of the chief veterinarian of the department of agriculture, and trade and consumer protection and the director of the agricultural experiment station at the university of Wisconsin-Madison, or their designees, and 7 public members, of whom at least one shall be a veterinarian who practices primarily on large animals in this state, at least one shall be a dairy farmer in this state, at least one shall represent a family farm located in this state and at least one shall be a meat animal producer in this state. Public members shall be appointed for 3-year terms. No public member may serve more than 2 consecutive terms.

SECTION 12rm. 15.137 (4) of the statutes is created to read:

15.137 (4) AGRICULTURAL CHEMICAL CLEANUP COUNCIL. There is created in the department of agriculture, trade and consumer protection an agricultural chemical cleanup council. The council shall consist of the following members appointed by the secretary of agriculture, trade and consumer protection for 4-year terms:

- (a) Two members to represent agricultural chemical manufacturers and wholesalers.
- (b) Two members to represent farmers.
- (c) Two members to represent retail fertilizer and pesticide dealers and commercial applicators.
- (d) One member to represent an environmental interest.

**Vetoed
in Part**

SECTION 12t. 15.137 (5) (intro.) of the statutes is amended to read:

15.137 (5) FERTILIZER RESEARCH COUNCIL. (intro.) There is created in the department of agriculture, and trade and consumer protection a fertilizer research council consisting of the following members:

SECTION 12v. 15.137 (5) (a) of the statutes is amended to read:

15.137 (5) (a) *Nonvoting members.* The secretary of the department of agriculture, and trade and consumer protection and the dean of the college of agricultural and life sciences at the university of Wisconsin-Madison, or their designees, shall serve as nonvoting members.

**Vetoed
in Part**

SECTION 12w. 15.137 (5) (b) of the statutes is amended to read:

15.137 (5) (b) *Voting members.* Six voting members shall be appointed jointly by the secretary of the department of agriculture, and trade and consumer protection and the dean of the college of agricultural and life sciences at the university of Wisconsin-Madison, to serve for 3-year terms. Three of the members shall be industry representatives selected from a list of candidates provided by the fertilizer industry. Three members shall represent farmers who are crop producers. No voting member may serve more than 2 consecutive 3-year terms.

SECTION 12y. 15.155 (4) (a) 1 of the statutes is amended to read:

15.155 (4) (a) 1. The secretary of agriculture, and trade and consumer protection or the secretary's designee.

SECTION 13e. 15.195 (1) of the statutes is amended to read:

15.195 (1) PESTICIDE REVIEW BOARD. There is created in the department of health and social services a pesticide review board. The review board shall consist of the secretary of agriculture, and trade and consumer protection, the secretary of natural resources and the secretary of health and social services or their designated representatives.

SECTION 13f. 15.195 (2) of the statutes is amended to read:

15.195 (2) CONTROLLED SUBSTANCES BOARD. There is created in the department of health and social services a controlled substances board consisting of the attorney general, the secretary of health and social services and the secretary of agriculture, and trade and consumer protection, or their designees, the chairman of the pharmacy examining board or a designee, and one psychiatrist and one pharmacologist appointed for 3-year terms.

SECTION 13m. 15.197 (13) of the statutes is created to read:

15.197 (13) MEDICAL ASSISTANCE SERVICES COUNCIL. (a) There is created a medical assistance services council, which is attached to the department of health and social services under s. 15.03. The council shall consist of the following members, each of whom is a physician, public health nurse, member of the clergy, bioethicist or consumer advocate:

- 1. One member appointed by the president of the senate
- 2. One member appointed by the minority leader of the senate
- 3. One member appointed by the speaker of the assembly.
- 4. One member appointed by the minority leader of the assembly.
- 5. Seven members appointed by the governor.

(b) When the governor makes appointments under par. (a) 5, he or she shall ensure that at least one mem-

**Vetoed
in Part**

Vetoed in Part ber of the committee represents each of the groups described in par. (a) (intro.).

(c) The members of the council shall serve 3-year terms.

Vetoed in Part SECTION 13p. 15.197 (22) of the statutes is created to read:

15.197 (22) COUNCIL ON AMERICAN INDIAN HEALTH. There is created a council on American Indian health, attached to the department of health and social services under s. 15.03, consisting of 13 members appointed for 3-year terms. At least 9 members shall be selected from names submitted by the Wisconsin Indian tribes or the Great Lakes inter-tribal council. Each council member shall have a demonstrated interest in and knowledge of health care issues affecting American Indians in this state.

SECTION 14. 15.227 (20) of the statutes is created to read:

15.227 (20) MULTIFAMILY DWELLING CODE COUNCIL. (a) There is created in the department of industry, labor and human relations a multifamily dwelling code council consisting of the following members appointed for 3-year terms:

1. Two members representing labor organizations for the skilled building trades, each of whom is actively engaged in his or her trade.

2. Two members representing municipal inspectors, one of whom is actively engaged in inspections in a county whose population is less than 50,000 and one of whom is actively engaged in inspections in a county whose population is 50,000 or more.

3. Two members representing the fire services, each of whom is actively engaged in fire service work and at least one of whom is a fire chief.

4. Two members representing building contractors and building developers, each of whom is actively engaged in on-site construction of multifamily housing.

5. Three members representing manufacturers of materials or suppliers of finished products in one of 5 product categories, consisting of cement products, concrete block products, gypsum products, metal products and wood products. Each member shall represent the manufacturers or suppliers of a different product category, and each member appointed to a 3-year term shall represent the manufacturers or suppliers of the product category that has not been represented by any of the 3 members for the previous 2 years. Each member shall be actively engaged in the business of manufacturing materials or supplying finished products for multifamily housing.

6. One member representing architects, engineers and designers who is actively engaged in the design or evaluation of multifamily housing.

7. Two members representing the public, at least one of whom is an advocate of fair housing.

(b) An employe of the department shall serve as nonvoting secretary of the council.

(c) The council shall meet at least 2 times annually.

(d) Nine members of the council shall constitute a quorum. For the purpose of conducting business a majority vote of the council is required, except that at least 10 members of the council are required to vote affirmatively to recommend changes in the statutes or administrative rules.

Vetoed in Part SECTION 14m. 15.253 (1) of the statutes is created to read:

15.253 (1) DIVISION OF CONSUMER PROTECTION. There is created in the department of justice a division of consumer protection. The administrator of the division shall be appointed by the attorney general in the unclassified service, to serve at the pleasure of the attorney general.

SECTION 15. 15.253 (2) of the statutes is created to read:

15.253 (2) DIVISION OF CRIMINAL INVESTIGATION. There is created in the department of justice a division of criminal investigation.

Vetoed in Part SECTION 15e. 15.315 (1) of the statutes is amended to read:

15.315 (1) STATE EMERGENCY RESPONSE BOARD. There is created a state emergency response board, which is attached to the department of military affairs under s. 15.03. The state emergency response board shall consist of one representative of the department of military affairs, division of emergency government, one representative of the subunit of the department of health and social services that administers health-related programs, one representative of the department of transportation, one representative of the department of natural resources, one representative of the department of agriculture and trade and consumer protection, one representative each from fire fighting, law enforcement and public or community health services, 2 representatives of industry, one representative of small business, as defined in s. 15.227 (3), 2 representatives who are elected officials or employes of county and municipal government, one representative of a farm or agricultural organization, one representative of a labor organization and one representative of an environmental organization. The members of the board shall serve at the pleasure of the governor.

Vetoed in Part SECTION 15g. 15.347 (8) (d) 2 of the statutes is amended to read:

15.347 (8) (d) 2. The department of agriculture and trade and consumer protection, appointed by the secretary thereof, and

Vetoed in Part SECTION 15i. 15.347 (13) (b) 3 of the statutes is amended to read:

15.347 (13) (b) 3. The secretary of agriculture and trade and consumer protection

SECTION 15m. 15.347 (18) of the statutes is created to read:

15.347 (18) AQUATIC NUISANCE CONTROL COUNCIL. (a) There is created in the department of natural resources an aquatic nuisance control council.

(b) The council shall be composed of the following members:

1. The secretary of natural resources or his or her designee.
2. Ten members, each of whom has a background in the area of conservation, environmental policy or public health.

(c) The members appointed under par. (b) 2 shall serve 3-year terms.

SECTION 15r. 15.405 (4m) of the statutes is repealed.

SECTION 18am. 15.64 of the statutes is created to read:

15.64 Gaming commission; creation. There is created a gaming commission. Each member shall be a U.S. citizen and shall be a resident, as described in s. 6.10 (1), of this state ~~at the time of appointment. A member may not serve more than one term.~~ No person who has been convicted of or entered a plea of guilty or no contest to a felony or a gambling-related offense under the laws of this or another state or of the United States may be appointed as a member unless the person has received a pardon under which the person's full civil rights have been restored.

SECTION 19am. 15.643 of the statutes is created to read:

15.643 Same; specified divisions. (1) ADMINISTRATIVE SERVICES DIVISION. There is created in the gaming commission an administrative services division.

(2) GAMING SECURITY DIVISION. There is created in the gaming commission a gaming security division.

(3) RACING DIVISION. There is created in the gaming commission a racing division.

(4) LOTTERY DIVISION. There is created in the gaming commission a lottery division.

SECTION 20c. 15.707 (2) of the statutes is created to read:

15.707 (2) SUBMERGED CULTURAL RESOURCES COUNCIL. (a) There is created in the historical society a submerged cultural resources council, consisting of the following members:

1. The director of the historical society.
2. The secretary of natural resources.
- 2m. The secretary of transportation.
3. The administrator of the state's coastal zone management program.
4. The director of the sea grant institute at the university of Wisconsin-Madison.
5. The administrator of the division of tourism in the department of development.
6. A representative of the national park service, appointed by the director of the historical society from a list of nominees recommended by the national park service.
7. Six other members, including an archaeologist, a maritime historian and a representative of a maritime museum, appointed by the director of the historical

society after consultation with the secretary of natural resources.

8. Four legislative members appointed as follows:

- a. One member who is appointed as are members of standing committees in the senate.
- b. One member who is appointed by the senate minority leader.
- c. One member who is appointed as are members of standing committees in the assembly.
- d. One member who is appointed by the assembly minority leader.

(b) The members appointed under par. (a) 6 and 7 shall serve 3-year terms and shall include at least 2 scuba divers certified by a nationally recognized aquatic safety program or a nationally recognized diver's organization.

(c) The members under par. (a) 1 to 5 shall serve as nonvoting members and may appoint designees to serve on the council.

SECTION 20g. 15.71 of the statutes is repealed.

~~SECTION 20h. 15.72 of the statutes is created to read:~~

~~**15.72 Inmate death investigation board.** There is created an inmate death investigation board consisting of members appointed for 4-year terms as follows:~~

- (1) One member having experience or expertise in correctional health services appointed by the dean of the university of Wisconsin-Madison medical school.
- (2) One member having experience or expertise in the criminal justice system appointed by the dean of the university of Wisconsin-Madison law school.
- (3) One member having experience or expertise in law or law enforcement appointed by the chief justice of the supreme court.
- (4) One member appointed by the state public defender.
- (5) One member appointed by the secretary of corrections.
- (6) One member who is a pathologist nominated by the state medical society and appointed by the dean of the university of Wisconsin-Madison medical school.
- (7) One member who is an employe of the department of health and social services trained in medical services but who is not a physician, appointed by the secretary of health and social services.

SECTION 20k. 15.81 of the statutes is repealed.

~~SECTION 20m. 15.87 of the statutes is amended to read:~~

~~**15.87 State fair park board.** There is created a state fair park board, consisting of 7 members, 5 of whom shall be appointed for 5-year terms. The secretary of agriculture and trade and consumer protection, or his or her designee, and the secretary of development, or his or her designee, shall also serve as voting members of the state fair park board.~~

~~SECTION 20r. 15.915 (2) (a) of the statutes is amended to read:~~

Vetoed in Part
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in Part

~~15.915 (2) (a) The president of the university of Wisconsin system, the chancellor of the university of Wisconsin-Madison, the secretary of health and social services, the secretary of natural resources and the secretary of agriculture, and trade and consumer protection, or their designees.~~

SECTION 20s. 16.007 (2) of the statutes is amended to read:

16.007 (2) RULES. The Except as provided in s. 901.05, the board shall not be bound by common law or statutory rules of evidence, but shall admit all testimony having reasonable probative value, excluding that which is immaterial, irrelevant or unduly repetitious. ~~It~~ The board may take official notice of any generally recognized fact or established technical or scientific fact, but parties shall be notified either before or during hearing or by full reference in preliminary reports, or otherwise, of the facts so noticed, and the parties shall be afforded an opportunity to contest the validity of the official notice.

SECTION 21. 16.03 of the statutes is repealed.

SECTION 21d. 16.20 (1) (cg) of the statutes is created to read:

16.20 (1) (cg) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. "Disability" includes any physical disability or developmental disability, as defined in s. 51.01 (5) (a). "Disability" does not include the current illegal use of a controlled substance, as defined in s. 161.01 (4), unless the individual is participating in a supervised drug rehabilitation program.

SECTION 21f. 16.20 (1) (cm) of the statutes is amended to read:

16.20 (1) (cm) "Human services activity" means an activity which promotes the social well-being of children, the elderly, persons with ~~physical or developmental~~ disabilities or persons with low incomes.

SECTION 21h. 16.20 (2) (d) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

16.20 (2) (d) *Human services.* Promoting the social well-being of children, the elderly, persons with ~~physical or developmental~~ disabilities and persons with low incomes through the implementation of projects that include human services activities.

SECTION 21j. 16.20 (6) (bm) of the statutes is amended to read:

16.20 (6) (bm) *Human services.* The extent to which the project will promote the social well-being of children, the elderly, persons with ~~physical or developmental~~ disabilities and persons with low incomes. The guidelines shall give priority to projects providing services to children and the elderly.

SECTION 21m. 16.20 (13) (a) of the statutes is amended to read:

16.20 (13) (a) *Enrollment period.* The normal enrollment period for a corps member who is not pro-

moted to assistant crew leader is one year. The board may authorize the employment of a corps member who is not promoted to assistant crew leader beyond the normal enrollment period for a limited time, not to exceed one year, if the corps member has a disability. The normal enrollment period for a corps member who is promoted to assistant crew leader or for a person who is hired as assistant crew leader is 2 years. The board may authorize the employment of a corps member or assistant crew leader beyond the normal enrollment period for a limited time, not to exceed 3 months, under special circumstances where continued employment is required in order to complete a project in progress. The normal enrollment period for a crew leader is 2 years. The board may extend the employment of a crew leader beyond the normal enrollment period if the crew leader possesses special experience, training or skills valuable to the program.

SECTION 21mb. 16.339 (2) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

16.339 (2) (a) From the appropriation under s. 20.505 (7) (dm), the department may award a grant that does not exceed \$50,000 to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied.

SECTION 21n. 16.367 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 21q. 16.505 (2) (b) of the statutes is amended to read:

16.505 (2) (b) This subsection does not apply to full-time equivalent positions funded from the appropriations under s. 20.370 (2) (bg) or (8) (mg) or 20.855 (8).

SECTION 21r. 16.515 (3) of the statutes is amended to read:

16.515 (3) This section does not apply to supplementation of appropriations under s. 20.370 (2) (bg) or (8) (mg) or 20.855 (8).

SECTION 22am. 16.61 (3) (u) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 16.61 (3) (u) 1 and amended to read:

16.61 (3) (u) 1. Shall create a registry of, in a format that may be accessed by computer terminal, describing the records series maintained by state agencies that contain personally identifiable information by using, to the maximum extent feasible, information submitted to the board in retention schedules under sub. (4) (b). The board may require state agencies to provide additional information necessary to create the registry. The board may not require a state agency to modify any records series described in the registry.

2. The registry shall not include any of the following:

a. Any records series that contains the results of a matching program, as defined in s. 19.62 (3), if the state agency using the records series destroys the

records series within one year after the records series was created.

3. The registry shall be designed to ~~ensure~~:

a. Ensure that state agencies are not maintaining any secret records series containing personally identifiable information.

SECTION 23. 16.61 (3) (u) 2. b. to f. and 3. b. and c. of the statutes are created to read:

16.61 (3) (u) 2. b. Mailing lists.

c. Telephone directories.

d. Records series pertaining exclusively to employes of a state agency.

e. Records series specified by the board that contain personally identifiable information incidental to the primary purpose for which the records series was created, such as the name of a salesperson or a vendor in a records series of purchase orders.

f. Record series relating to procurement or budgeting by a state agency.

3. b. Be comprehensible to an individual using the registry so that identification of records series maintained by state agencies that may contain personally identifiable information about the individual is facilitated.

c. Identify who may be contacted for further information on a records series.

SECTION 23b. 16.61 (3) (v) of the statutes is created to read:

16.61 (3) (v) Shall provide the privacy advocate direct access via a computer terminal to the registry created under par. (u).

SECTION 23m. 16.71 (3) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

16.71 (3) If the department makes or delegates to the ~~lottery board gaming commission~~ or to any other designated purchasing agent under sub. (1) the authority to make a major procurement, as defined in s. 565.01 (4), for the ~~lottery board gaming commission~~, the department, ~~lottery board gaming commission~~ or designated purchasing agent shall comply with the requirements under s. 565.25.

SECTION 23p. 16.72 (4m) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

16.72 (4m) The department shall provide the ~~lottery board gaming commission~~ with a copy of each contract for a major procurement, as defined in s. 565.01 (4), for the ~~lottery board gaming commission~~.

SECTION 23s. 16.84 (1) of the statutes, as affected by 1991 Wisconsin Act 39, 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 appropriations under s. 20.505 (5) (ka) and (kb),

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 appropriation account under s. 20.505 (5) (kc) sufficient to make principal and interest payments on state facilities and payments to the United States under s. 13.488 (1) (m).

SECTION 24. 16.84 (2) of the statutes, as affected by 1991 Wisconsin Act 39, 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 provide security services at the historical society headquarters building located at 816 State street and the historical society museum located at 30 N. Carroll Street street in the city of Madison upon reimbursement therefor by the society. When authorized by the governor, the department shall appoint such number of security officers as is necessary to safeguard state officers or other persons. 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 24m. 16.843 (2) (b) and (bm) (intro.) of the statutes are amended to read:

16.843 (2) (b) The department shall establish a schedule of fees for parking during the state office hours specified in s. 230.35 (4) (f) at every state-owned office building for which the department has managing authority and which is located in a municipality served by an urban mass transit system for which state operating assistance is provided under s. 85.20, if the mass transit system serves a street which passes within 500 feet of the building. In addition, the department shall establish a schedule of fees for parking during such hours at the parking ramp located at West Wilson Street in the city of Madison. The department may ~~prescribe~~ establish a schedule of fees for parking during other hours at any state-owned office building located in such a municipality served by an urban mass transit system for which state operating assistance is provided under s. 85.20. In addition, the department may establish a schedule of fees for parking at other state facilities located in such a municipality.

(bm) (intro.) Fees established under this subsection for parking at any every facility, except the parking ramp specified in par. (cm), shall be established so that the total amount collected equals the total costs of:

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in Part

Vetoed
in Part

SECTION 24n. 16.843 (2) (c) (intro.) of the statutes is amended to read:

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

Vetoed
in Part

SECTION 24p. 16.843 (2) (cm) of the statutes is created to read:

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in Part

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in Part

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in Part

16.843 (2) (cm) Fees established under this subsection for parking at the parking ramp located at ~~West Wilson street~~ in the city of Madison shall be set so that all costs of land acquisition ~~for~~ and construction, financing, administration, maintenance and operation of the ramps are recovered from fee revenue. The department shall review and establish fees under this paragraph on an annual basis such that the costs of administration, maintenance and operation of the ramp are fully recovered on an annual basis and the costs of land acquisition, construction and financing are fully recovered at the earliest possible time.

SECTION 26d. 16.847 of the statutes is created to read:

16.847 Energy efficiency program. (1) DEFINITIONS. In this section:

(a) "Agency" has the meaning given in s. 16.52 (7).

(b) "State facilities" means all property owned and operated by the state for the purpose of carrying out usual state functions, including each center and institution within the university of Wisconsin system.

Vetoed
in Part

(c) "Utility expenses" means ~~fuel, electricity, heat and chilled water~~ expenses incurred to provide heating, cooling and electricity to a state facility.

(2) UTILITY EXPENSE BUDGETING. For all appropriations listed in sub. (4), an agency shall submit to the department documentation that shows the amounts budgeted and expended by the agency for utility expenses in fiscal year 1993-94 and in fiscal year 1994-95.

(4) UTILITY EXPENSE APPROPRIATIONS. Subsection (2) applies to all of the following appropriations:

- (a) Section 20.225 (1) (b).
- (b) Section 20.245 (2) (c), (4) (c) and (5) (c).
- (c) Section 20.255 (1) (c).
- (d) Section 20.285 (1) (c).
- (e) Section 20.410 (1) (f).
- (f) Section 20.435 (2) (f).
- (g) Section 20.465 (1) (f).
- (h) Section 20.485 (1) (c).
- (i) Section 20.505 (5) (ka).
- (j) Section 20.865 (2) (e).

(5) ENERGY EFFICIENCY PROGRAM. (a) The department shall establish an energy efficiency program to assist agencies in energy conservation. The department shall seek out energy saving opportunities, review and rank energy efficiency projects, award loans under sub. (6) to agencies for energy efficiency

projects and verify energy savings achieved by an energy efficiency project.

(b) The department may award a loan under sub. (6) to an agency for any of the following energy efficiency projects:

1. Construction projects that involve remodeling, renovation or similar modifications made to the interior or exterior structure of a building and that do not include any nonconstruction expenditures.

Vetoed
in Part

2. Nonconstruction projects that include energy efficiency work that is not included under subd. 1.

(6) LOANS. (a) From the appropriation under s. 20.505 (5) (q), the department may award a loan to an agency to fund an energy efficiency project. The department may not award a loan under this paragraph unless all of the following conditions are satisfied:

Vetoed
in Part

1. The energy efficiency project generates sufficient utility expense savings to pay back the loan within 6 years.

2. The loan funds an energy efficiency project in an existing state facility.

3. The energy efficiency project is a construction project under sub. (5) (b) 1.

4. The energy efficiency project meets any other condition established by the department.

(b) From the appropriation under s. 20.505 (5) (q), the department may award a loan to an agency to fund an energy efficiency project. The department may not award a loan under this paragraph unless all of the following conditions are satisfied:

1. The energy efficiency project generates sufficient utility expense savings to pay back the loan within 6 years.

2. The loan funds an energy efficiency project in an existing state facility.

3. The energy efficiency project is a construction project under sub. (5) (b) 1 or a nonconstruction project under sub. (5) (b) 2.

4. The energy efficiency project meets any other condition established by the department.

(7) LOAN APPROVAL. Loans made under sub. (6) require approval by the department or the building commission, or both, as follows:

(a) For any loan, approval by the department under sub. (6) is required.

(b) For loans of \$100,000 or more, after approval by the department under par. (a), approval by the building commission is required. Any approval by the building commission shall be made after an expedited review and does not require enumeration as provided in s. 20.924 (1).

Vetoed
in Part

(8) REPAYMENT AGREEMENTS. (a) As a condition of receiving a loan under sub. (6), an agency shall enter into an agreement to repay the loan from utility expenses saved by the energy efficiency project. The agreement shall specify the annual repayment amount and the appropriation to which the loan shall be repaid. Annually, the department may transfer the

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Vetoed in Part specified repayment amount from an appropriation described in the agreement to the same amount in the energy efficiency fund from which the loan was made.

(b) As a condition of receiving a loan under sub. (6), an agency shall agree that for 6 years after the loan is repaid utility expenses saved by the energy efficiency project shall be allocated as follows:

Vetoed in Part 1. The department may transfer ~~one-third of the annual savings~~ to the general fund.

Vetoed in Part 2. The department may transfer ~~one-third of the annual savings~~ to the energy efficiency fund for maintenance of energy efficiency projects and for energy efficiency monitoring.

3. Subject to review under s. 16.50 (2), the agency may retain one-third of the annual savings for its general program operations.

Vetoed in Part (9) MAINTENANCE, MONITORING AND EDUCATION. (a) From the appropriation under s. 20.505 (5) (qg), the department may expend up to 3% of the total amounts deposited in the energy fund for energy efficiency monitoring and for education programs that provide information about energy efficiency projects or information about energy conservation.

Vetoed in Part (b) From the appropriation under s. 20.505 (5) (qg), the department may expend the amounts deposited in the energy efficiency fund under sub. (8) (b) 2 for maintenance of energy efficiency projects and for energy efficiency monitoring.

Vetoed in Part (10) RULES. The department shall promulgate rules to administer this section.

SECTION 26f. 16.85 (1) of the statutes is amended to read:

16.85 (1) To take charge of and supervise all engineering or architectural services or construction work as defined in s. 16.87 performed by, or for, the state, or any department, board, institution, commission or officer thereof, including nonprofit-sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the engineering, architectural and construction work of the department of transportation and, the engineering service performed by the department of industry, labor and human relations, department of revenue, public service commission, department of health and social services and other departments, boards and commissions when the service is not related to the maintenance, construction and planning of the physical properties of the state, and energy efficiency projects of the energy efficiency program under s. 16.847. The department shall not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a day care center primarily for use by children of state employees.

Vetoed in Part SECTION 26h. 16.87 (5) of the statutes is created to read:

~~16.87 (5) This section does not apply to energy efficiency projects of the energy efficiency program under s. 16.847.~~

~~SECTION 26j. 16.96 (1) of the statutes is amended to read:~~

~~16.96 (1) Annually make estimates of the current number of persons residing in each municipality and county of the state, and periodically make projections of the anticipated future population of the state, counties and municipalities. Persons who are members in the Wisconsin veterans home at Kirtz shall be considered residents of Waupaca county for purposes of the community aids allocation under s. 46.40.~~

~~SECTION 26j. 16.96 (2) (dm) of the statutes is amended to read:~~

~~16.96 (2) (dm) The results of special censuses conducted for municipalities and counties under contract with the U.S. bureau of the census shall be used as a basis for the respective population determinations on August 10 if the final certified results of such censuses are received by the department before July 1 in the year in which the determination is made. The results of special censuses conducted for municipalities and counties under contract with the U.S. bureau of the census shall be used as a basis for the respective population determinations on October 10 if the final certified results of such censuses are received by the department before October 1 in the year in which the determination is made. If a municipality or county notifies the department in writing by October 1 of its intention to contract for a special census with the U.S. bureau of the census in support of a challenge to the August 10 population determination, and if the final certified results of such a special census are received by the department before July 15 in the following year, the department shall adjust the preceding October 10 population estimate to reflect the results of the special census. If a municipality or county notifies the department of its intention to contract for a special census but the results are not received by July 15 in the following year, the department may use the best information from the most recent federal census. The department shall report the adjusted population determination to the department of revenue before August 1 of the year subsequent to the challenge. The department shall prorate census results for census dates occurring after the reference date of any population determination back to the reference date of the estimate for all municipalities and counties under par.~~

~~(a) Upon receiving an adjusted population determination, the department of revenue shall correct shared revenue distributions under subch. I of ch. 79 according to s. 79.08 (1). If a municipality contracts with the U.S. bureau of the census for a special census, the municipality shall assure that the results of such special census are certified to the department not later than 30 days after the release of the census results by the U.S. bureau of the census.~~

Vetoed in Part

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~~SECTION 26jm. 16.96 (2) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~16.96 (2) (e) Before August 1 of the year following the year in which a federal decennial census is taken, the department shall adjust the October 18 population determinations of the decennial census year to correspond to the final federal decennial census results as reported to an agency of the state by the U.S. bureau of the census under 13 USC 141 (c). The department may use preliminary results from the decennial census for any municipality or a county for which the final results are not available before August 1 of the year following the decennial census year. The department shall prorate each population determination adjustment from the decennial census date back to the reference date of the estimate for all municipalities and counties under par. (a) in the decennial census year. The department shall report the adjusted population determination to the department of revenue before August 1 of the year following the federal decennial census year. Upon receiving an adjusted population determination, the department of revenue shall correct shared revenue distributions under subch. I of ch. 79 according to s. 79.08 (1).~~

SECTION 26jj. 16.96 (2) (f) of the statutes is created to read:

16.96 (2) (f) Persons who are members in the Wisconsin veterans home at King shall be considered residents of the town of Farmington and of Waupaca county for purposes of the state revenue sharing distribution under subch. II of ch. 79.

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~~SECTION 26m. 16.967 (6) of the statutes is amended to read:~~

~~16.967 (6) Reports. By March 31, 1990, and biennially thereafter, the departments of administration, agriculture, and trade and consumer protection, development, health and social services, industry, labor and human relations, natural resources, revenue and transportation, and the board of regents of the university of Wisconsin system, the public service commission and the board of curators of the historical society shall each submit to the board a plan to integrate land information to enable such information to be readily translatable, retrievable and geographically referenced for use by any state, local governmental unit or public utility.~~

SECTION 26mm. Subchapter X (title) of chapter 16 of the statutes is created to read:

CHAPTER 16

SUBCHAPTER X

PROPERTY TAX DEFERRAL PROGRAM

(to precede s. 16.993)

SECTION 26n. 17.275 of the statutes is amended to read:

17.275 Records of applicants for elective positions. ~~No~~ Unless otherwise directed under s. 19.36 (7), no appointing authority or individual acting on behalf of an appointing authority may withhold from inspec-

tion or copying under s. 19.35 (1) any record of the name or address of an applicant for appointment to fill a vacancy in an elective office.

~~SECTION 26p. 19.31 of the statutes is amended to read:~~

~~**19.31 Declaration of policy.** In recognition of the fact that a representative government is dependent upon an informed electorate, it is declared to be the public policy of this state that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them. Further, providing persons with such information is declared to be an essential function of a representative government and an integral part of the routine duties of officers and employees whose responsibility it is to provide such information. To that end, ss. 19.32 to 19.37 shall be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business and protections against the unwarranted invasion of personal privacy. The denial of public access generally is contrary to the public interest, and only in an exceptional case may access be denied.~~

SECTION 26pd. 19.32 (1r) of the statutes is created to read:

19.32 (1r) "Personally identifiable information" has the meaning specified in s. 19.62 (5).

~~SECTION 26pg. 19.35 (1) (a) of the statutes is amended to read:~~

~~19.35 (1) (a) Except as otherwise provided by law, any requester has a right to inspect any record. Substantive common law principles construing the right to inspect, copy or receive copies of records shall remain in effect. The exemptions to the requirement of a governmental body to meet in open session under s. 19.85 are indicative of public policy, but may be used as grounds for denying public access to a record only if the authority or legal custodian under s. 19.33 makes a specific demonstration that there is a need to restrict public access at the time that the request to inspect or copy the record is made. In determining whether to allow public access to a record under this paragraph, an authority shall consider the personal privacy interests of any individual who is a subject of the record.~~

SECTION 26r. 19.35 (1) (as) of the statutes is created to read:

19.35 (1) (ae) 1. Except as provided in s. 230.13 for the names of applicants certified for employment in the state classified service, for the purposes of par. (a), information in which an individual has a significant privacy interest includes the individual's identity, employment, medical or credit histories or personal references contained in an application for employment or in materials related to the application for employment.

2. A disclosure under par. (a) does not affect a significant privacy interest if identifying details are

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Vetoed in Part deleted from the information disclosed or if each individual whose privacy interest is affected by a record consents, in writing, to the disclosure.

SECTION 26s. 19.35 (1) (am) 1 and 2 of the statutes are created to read:

19.35 (1) (am) 1. Any record containing personally identifiable information that is collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding, unless one year has elapsed since the conclusion of such an action or proceeding, or one year has elapsed since the filing of a complaint or the closing of an investigation that does not result in such an action or proceeding.

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2. Any record containing personally identifiable information that, if disclosed, would do any of the following:

- a. Endanger an individual's life or safety.
- b. Identify a confidential informant.
- c. Endanger the security of any state correctional institution, as defined in s. 301.01 (4), jail, as defined in s. 165.85 (2) (bg), secured correctional facility, as defined in s. 48.02 (15m), mental health institute, as defined in s. 51.01 (12), center for the developmentally disabled, as defined in s. 51.01 (3), or the population or staff of any of these institutions, facilities or jails.
- d. Compromise the rehabilitation of a person in the custody of the department of corrections or detained in a jail or facility identified in subd. 2. c.

SECTION 26sm. 19.35 (1) (b) of the statutes is amended to read:

19.35 (1) (b) Except as otherwise provided by law, any requester has a right to inspect a record and to make or receive a copy of a record which appears in written form. If a requester requests appears personally to request a copy of the a record, the authority having custody of the record may, at its option, permit the requester to photocopy the record or provide the requester with a copy substantially as readable as the original.

SECTION 26t. 19.35 (1) (i) and (k) and (2) of the statutes are amended to read:

19.35 (1) (i) Except as authorized under this paragraph, no request under pars. (a) and (b) to (f) may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. Except as authorized under this paragraph, no request under pars. (a) to (f) may be refused because the request is received by mail, unless prepayment of a fee is required under sub. (3) (f). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

(k) Notwithstanding pars. (a), (am), (b) and (f), a legal custodian may impose reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(2) FACILITIES. The authority shall provide any person who is authorized to inspect or copy a record under sub. (1) (a), (am), (b) or (f) with facilities comparable to those used by its employees to inspect, copy and abstract the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic or other equipment or to provide a separate room for the inspection, copying or abstracting of records.

SECTION 26u. 19.35 (4) (c) of the statutes is created to read:

19.35 (4) (c) If an authority receives a request under sub. (1) (a) or (am) from an individual or person authorized by the individual who identifies himself or herself and states that the purpose of the request is to inspect or copy a record containing personally identifiable information pertaining to the individual that is maintained by the authority, the authority shall deny or grant the request in accordance with the following procedure:

- 1. The authority shall first determine if the requester has a right to inspect or copy the record under sub. (1) (a).
- 2. If the authority determines that the requester has a right to inspect or copy the record under sub. (1) (a), the authority shall grant the request.
- 3. If the authority determines that the requester does not have a right to inspect or copy the record under sub. (1) (a), the authority shall then determine if the requester has a right to inspect or copy the record under sub. (1) (am) and grant or deny the request accordingly.

SECTION 26v. 19.36 (2) and (3) of the statutes are amended to read:

~~19.36 (2) LAW ENFORCEMENT RECORDS. Except as otherwise provided by law, whenever federal law or regulations require or as a condition to receipt of aids by this state require that any record relating to investigative information obtained for law enforcement purposes be withheld from public access, then that information is exempt from disclosure under s. 19.35 (1) (a).~~

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(3) CONTRACTORS' RECORDS. Each authority shall make available for inspection and copying under s. 19.35 (1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority. This subsection does not apply to the inspection or copying of a record under s. 19.35 (1) (am).

SECTION 27am. 19.36 (6) of the statutes is amended to read:

19.36 (6) SEPARATION OF INFORMATION. If a record contains information that ~~may be made public is subject to disclosure under s. 19.35 (1) (a) or (am) and information that may not be made public is not subject to such disclosure.~~ the authority having custody of the record shall provide the information that ~~may be made public is subject to disclosure~~ and delete the information that ~~may is not be made public subject to disclosure~~ from the record before release.

SECTION 27b. 19.36 (7) of the statutes is created to read:

19.36 (7) IDENTITIES OF APPLICANTS FOR PUBLIC OFFICES OR EMPLOYMENT. Every applicant for a position with any authority may indicate in writing to the authority that the applicant does not wish the authority to reveal his or her identity. ~~Each authority shall provide a space for making such an indication on each application form used by the authority to fill any position.~~ Except with respect to an applicant whose name is certified for appointment to a position in the state classified service, if an applicant makes such an indication in writing, the authority shall not provide access to any record that may reveal the identity of the applicant.

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SECTION 27d. 19.365 (title) of the statutes is created to read:

19.365 (title) Rights of data subject to challenge; authority corrections.

SECTION 27e. 19.365 (2) (intro.) of the statutes is created to read:

19.365 (2) (intro.) This section does not apply to any of the following records:

SECTION 27f. 19.37 (2) of the statutes is renumbered 19.37 (2) (a) and amended to read:

19.37 (2) (a) The court shall award reasonable attorney fees, damages of not less than \$100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (a). Costs and fees shall be paid by the authority affected or the unit of government of which it is a part, or by the unit of government by which the legal custodian under s. 19.33 is employed and may not become a personal liability of any public official.

SECTION 27fd. 19.42 (2) of the statutes is amended to read:

19.42 (2) "Associated", when used with reference to an organization, includes any organization in which an individual or a member of his or her immediate family is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity or of which an individual or a member of his or her immediate family is an authorized representative or agent.

SECTION 27fe. 19.42 (5m) of the statutes is created to read:

19.42 (5m) "Elective office" means an office regularly filled by vote of the people.

SECTION 27ff. 19.42 (7w) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:
19.42 (7w) (a) An elective office of a local ~~government~~ governmental unit.

SECTION 27fm. 19.42 (13) (c) of the statutes is amended to read:

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

SECTION 27fn. 19.48 (9) of the statutes is amended to read:

19.48 (9) Administer ~~a program~~ programs to explain and interpret this subchapter and subch. III of ch. 13 for state public officials, and for elective state officials, candidates for state public office, legislative officials, agency officials ~~and~~, lobbyists, as defined in s. 13.62, local public officials, corporation counsels and attorneys for local governmental units. The ~~program~~ programs shall provide advice regarding appropriate ethical and lobbying practices, with special emphasis on public interest lobbying. The board may delegate creation and implementation of ~~the any such~~ any such program to a group representing the public interest. The board may charge a fee to participants in any such program.

~~SECTION 27fi. 19.59 (1) (e) of the statutes is created to read:~~

~~19.59 (1) (e) No local public official holding an elective office may represent a person for compensation before a local governmental unit in which the official holds an elective office, or before any board, council, commission, agency or employe thereof, except:~~

- ~~1. In a contested case which involves a party other than the local governmental unit with interests adverse to those represented by the local public official, or~~
- ~~2. In a matter that involves only ministerial action by the local governmental unit.~~

SECTION 27fw. 19.59 (1) (f) of the statutes is created to read:

19.59 (1) (f) Paragraphs (a) to (c) do not apply to the members of a local committee appointed under s. 144.445 (7) (a) to negotiate with the owner or operator of, or applicant for a license to operate, a solid waste disposal or hazardous waste facility under s. 144.445, with respect to any matter contained or proposed to be contained in a written agreement between a municipality and the owner, operator or applicant or in an arbitration award or proposed award that is applicable to those parties.

~~SECTION 27g. 19.59 (3) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~19.59 (3) (d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon~~

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Vetoed in Part ~~complaint by any person. The ordinance may empower the board to issue opinions upon request. Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection under s. 19.35 (1) (a) if the ordinance so provides.~~

SECTION 28. 19.63 (1) (d) of the statutes is created to read:

19.63 (1) (d) Publicize the registry of records series created under s. 16.61 (3) (u) and, upon request, assist with record retrieval any person requesting additional information on a records series in the registry that is provided by a state agency, or requesting from the registry information to which access is provided by a state agency.

Vetoed in Part ~~SECTION 29. 19.66 of the statutes is created to read.~~

~~19.66 Security safeguards. Each state authority shall establish administrative, technical and physical safeguards, as appropriate, to ensure the security of personally identifiable information maintained by the state authority and to protect against threats or hazards to the security or integrity of the information that may reasonably be anticipated.~~

SECTION 30. 19.69 (1) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

19.69 (1) (title) MATCHING SPECIFICATION. (intro.) ~~No~~ A state authority may not use or allow the use of personally identifiable information maintained by the state authority in a match under a matching program, or provide personally identifiable information for use in a match under a matching program, unless the state authority specifies has specified in writing all of the following for the matching program:

SECTION 31. 19.69 (2) of the statutes is created to read:

19.69 (2) COPY TO PUBLIC RECORDS AND FORMS BOARD. A state authority that prepares a written specification of a matching program under sub. (1) shall provide to the public records and forms board a copy of the specification and any subsequent revision of the specification within 30 days after the state authority prepares the specification or the revision.

SECTION 33am. 19.73 (title) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 33b. 19.73 (1) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.32 (1m) and amended to read:

19.32 (1m) ~~In this section, "person~~ "Person authorized by the individual" means the parent, guardian, as defined in s. 48.02 (8), or legal custodian, as defined in s. 48.02 (11), of a child, as defined in s. 48.02 (2), the guardian, as defined in s. 880.01 (3), of an individual adjudged incompetent, as defined in s. 880.01 (4), the personal representative or spouse of an individual who is deceased or any person authorized, in writing, by the individual to exercise the rights granted under this section.

SECTION 34am. 19.73 (2) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.35 (1) (am) (intro.) and amended to read:

19.35 (1) (am) (intro.) ~~Upon request~~ In addition to any right under par. (a), any requester who is an individual or person authorized by the individual, may has a right to inspect any record containing personally identifiable information pertaining to the individual that is maintained by an authority and to make or receive a copy of any such information in a form which is comprehensible to the individual or person authorized by the individual. The authority may impose a fee not to exceed the fees under s. 19.35 (3) for providing a copy of the information. The right to inspect or copy a record under this paragraph does not apply to any of the following:

SECTION 35am. 19.73 (3) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (1) and amended to read:

19.365 (1) ~~An~~ Except as provided under sub. (2), an individual or person authorized by the individual may challenge the accuracy of a record containing personally identifiable information pertaining to the individual that is maintained by an authority by notifying if the individual is authorized to inspect the record under s. 19.35 (1) (a) or (am) and the individual notifies the authority, in writing, of the challenge. After receiving the notice, the authority shall do one of the following:

(a) ~~Correct~~ Concur with the challenge and correct the information.

(b) ~~Allow~~ Deny the challenge, notify the individual or person authorized by the individual of the denial and allow the individual or person authorized by the individual to file a concise statement setting forth the reasons for the individual's disagreement with the disputed portion of the record. A state authority that denies a challenge shall also notify the individual or person authorized by the individual of the reasons for the denial.

SECTION 36am. 19.73 (4) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 37am. 19.73 (4) (a) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (2) (a) and amended to read:

19.365 (2) (a) ~~Records~~ Any record transferred to an archival depository under s. 16.61 (13).

SECTION 38. 19.73 (4) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 39am. 19.73 (4) (c) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.365 (2) (b) and amended to read:

19.365 (2) (b) Any record pertaining to an individual if a specific state statute prohibits the disclosure or federal law governs challenges to the accuracy of the record to the individual.

SECTION 40am. 19.73 (4) (d) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.35 (1) (am) 3 and amended to read:

19.35 (1) (am) 3. Any record that is ~~not~~ part of a records series, as defined in s. 19.62 (7), that is not indexed, arranged or automated in a way that the record can be retrieved by the authority maintaining the records series by use of an individual's name, address or other identifier.

SECTION 41. 19.73 (4) (e) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 43am. 19.75 (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

19.75 Access to confidential records. (intro.) Notwithstanding any other state law, unless federal law or regulations require or as a condition to receipt of federal aids by this state require that the right of inspection under this section be denied, the privacy advocate may inspect any record in the custody of an authority that is not open to inspection under ss. 19.35 (1) (a) and 19.36 if all of the following apply:

SECTION 43b. 19.80 (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

19.80 (title) Penalties.

SECTION 43c. 19.80 (1) (a) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 43d. 19.80 (1) (e) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 19.37 (2) (b) and amended to read:

19.37 (2) (b) If In any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (am), if the court finds that the authority acted in a wilful or intentional manner, the court shall award the individual shall be awarded actual damages sustained by the individual as a consequence of the failure.

SECTION 43m. 20.002 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.002 (2) ACCRUED TAX RECEIPTS. Solely for purposes of relating annual taxes to estimated expenses, amounts withheld under s. 71.64 prior to July 1 and taxes imposed by subch. III of ch. 77 for periods ending prior to July 1 shall be deemed accrued tax receipts as of the close of the fiscal year but no revenue shall be deemed accrued tax receipts unless deposited by the state on or before the August 15 following the end of the fiscal year. Solely for purposes of relating annual taxes to estimated expenses, fees imposed under subch. II of ch. 77 ~~and~~ taxes imposed under ss. 139.02, 139.03 (2m) and (2n) and 139.76 ~~and assessments imposed under s. 50.14 (2)~~ shall be deemed accrued tax receipts as of the close of the fiscal year, but no revenue shall be deemed accrued tax receipts unless deposited by this state on or before July 31. Solely for purposes of relating annual taxes to estimated expenses, taxes imposed under s. 70.58 shall be deemed accrued tax receipts as of the close of the fiscal year, but no revenue shall be deemed accrued tax receipts unless it is deposited by this state on or before August 31.

SECTION 46. 20.005 (3) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.005 (3) APPROPRIATIONS. (intro.) Except as otherwise provided in 1991 Wisconsin Act 39, section 9160 (1xg) and 1991 Wisconsin Act ... (this act), section 9160 (1z), 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]

SECTION 47. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

				<u>1991-92</u>	<u>1992-93</u>	
20.115	Agriculture, trade and consumer protection, department of					
(2)	ANIMAL HEALTH SERVICES					
(e)	Bovine tuberculosis research	GPR	A	-0-	\$50,000	Vetoed in Part
(7)	AGRICULTURAL RESOURCE MANAGEMENT					
(q)	Gypsy moth eradication		SEG A	250,000	235,300	
(z)	Agricultural chemical cleanup program		SEG A	-0-	180,000	Vetoed in Part
20.143	Development, department of					
(1)	ECONOMIC AND COMMUNITY DEVELOPMENT					Vetoed in Part

(ie)	Wisconsin development fund, repayments	PR	E	0	0	Vetoed in Part
20.197	Gaming commission					
(4)	TRANSITIONAL FUNDING					
(g)	General program operations; program revenues	PR	A	-0-	118,600	
(q)	General program operations; segregated revenues	SEG	A	-0-	290,500	
20.225	Educational communications board					Vetoed in Part
(1)	INSTRUCTIONAL TECHNOLOGY					
(em)	Communications tower equipment	GPR	E	124,000	0	
20.245	Historical society					
(3)	HISTORIC AND BURIAL SITES PRESERVATION					
(d)	Historical markers; state-funded markers and plaques	GPR	A	-0-	20,000	
20.255	Public instruction, department of					
(1)	EDUCATIONAL LEADERSHIP					
(dt)	Educational assessment program	GPR	A	-0-	1,641,400	
(2)	AIDS FOR LOCAL EDUCATIONAL PROGRAMMING					
(dc)	Professional development	GPA	A	-0-	400,000	
(ds)	Management restructuring programs	GPR	A	-0-	500,000	
(ef)	Collaborative projects	GPR	A	-0-	300,000	
(eg)	Collaborative service programs	GPR	A	-0-	325,000	
(eh)	Head start supplement	GPR	A	-0-	3,950,000	
(em)	Grants for mathematics and science programs	GPR	A	-0-	100,000	
(fh)	Grants for staff development	GPR	A	-0-	800,000	
(u)	Aid for handicapped education transportation	SEG	A	-0-	3,773,200	
20.370	Natural resources, department of					
(1)	RESOURCE MANAGEMENT					
(ds)	Water resources--Portage canal; Fort Winnebago	SEG	A	-0-	80,000	
(2)	ENVIRONMENTAL STANDARDS					
(bg)	Air management--stationary sources	PR	A	-0-	5,727,400	
(bh)	Air management--vapor recovery administration	PR	A	-0-	52,000	
(bi)	Air management--mobile sources	PR	A	-0-	260,000	
(4)	LOCAL SUPPORT					
(ig)	Aids administration--vapor recovery grants	PR	A	-0-	112,100	
(8)	ADMINISTRATIVE SERVICES					
(mg)	General program operations--stationary sources	PR	A	-0-	126,000	

(mh)	General program operations-- mobile sources	PR	A	-0-	26,000	
20.395	Transportation, department of					
(1)	AIDS					
(av)	Assistance for Forest county, state funds	SEG	B	540,500	-0-	
(4)	GENERAL TRANSPORTATION OPERATIONS					
(dg)	Demand management	PR	A	-0-	256,200	
20.435	Health and social services, department of					
(1)	HEALTH SERVICES PLANNING, REGULATION AND DELIVERY					
(cd)	Breast cancer screening and services	GPR	C	310,000	442,600	Vetoed in Part
(ek)	Cooperative American Indian health projects	GPR	A	-0-	-0-	Vetoed in Part
(fd)	Domestic abuse identification training program grant	GPR	E	40,000	-0-	Vetoed in Part
(rg)	Emergency medical services; general program operations	SEG	A	-0-	180,600	
20.450	Inmate death investigation Board					Vetoed in Part
(1)	INMATE DEATH INVESTIGATIONS					
(a)	General program operations	GPR	C	5,000	10,000	
20.455	Justice, department of					
(2)	LAW ENFORCEMENT SERVICES					
(g)	Gaming law enforcement; racing revenues	PR	A	-0-	140,100	Vetoed in Part
(r)	Gaming law enforcement; lottery revenues	SEG	A	-0-	196,100	
20.485	Veterans affairs, department of					307,700 203,400
(2)	LOANS AND AIDS TO VETERANS					
(rc)	Homeless veterans reintegration	SEG	A	-0-	75,000	
(rs)	Retired senior volunteer program grants	SEG	A	-0-	15,900	
(sm)	Payments related to The Highground	SEG	C	150,000	-0-	
20.505	Administration, department of					
(1)	SUPERVISION AND MANAGEMENT					
(is)	Information technology services to nonstate entities	PR	A	-0-	-0-	Vetoed in Part
(kl)	Information technology services to agencies	PR	A	-0-	-0-	Vetoed in Part
(5)	FACILITIES MANAGEMENT					
(kb)	One West Wilson street parking ramp	PR	A	-0-	-0-	Vetoed in Part
(qg)	Maintenance, monitoring and education	SEG	A	-0-	-0-	Vetoed in Part
(9)	PROPERTY TAX DEFERRAL					
(a)	Property tax deferral program; loans	GPR	A	-0-	550,500	

(b)	Property tax deferral program; administration	GPR	A	-0-	78,800
20.515	Employe trust funds, department of				
(1)	EMPLOYE BENEFIT PLANS				
(ut)	Health insurance data collection and analysis contracts	SEG	A	80,000	300,000
20.521	Ethics board				
(1)	ETHICS AND LOBBYING REGULATION				
(i)	Materials and services	PR	A	-0-	15,000
20.680	Supreme court				
(2)	DIRECTOR OF STATE COURTS				
(c)	Mediation council	GPR	A	-0-	82,400
(3)	BAR EXAMINERS AND RESPONSIBILITY				
(c)	Board of bar examiners; state funding	GPR	A	150,000	-0-

Vetoed in Part

Vetoed in Part SECTION 47b. 20.115 (intro.) of the statutes is amended to read:
20.115 (intro.) Agriculture and trade, department of. There is appropriated to the department of agriculture and trade and consumer protection for the following programs:

Vetoed in Part SECTION 47c. 20.115 (1) (gr) of the statutes is created to read:
 20.115 (1) (gr) *Synthetic bovine somatotrophin training.* All moneys received under s. 97.237 (3) to administer s. 97.237.

Vetoed in Part SECTION 47d. 20.115 (1) (hm) of the statutes is renumbered 20.455 (1) (hm) and amended to read:
 20.455 (1) (hm) *Mobile air conditioner fees.* The amounts in the schedule for administration of the mobile air conditioner servicing and refrigerant recycling programs. All moneys received from fees under s. 100.45 130.33 (5) (a) 3 shall be credited to this appropriation.

SECTION 47f. 20.115 (1) (q) of the statutes is renumbered 20.455 (1) (q) and amended to read:
 20.455 (1) (q) *Motor vehicle repair regulation.* From the transportation fund, the amounts in the schedule for the enforcement of ch. Ag 132, Wis. admin. code rules relating to motor vehicle repair practices.

SECTION 47h. 20.115 (1) (u) of the statutes is renumbered 20.455 (1) (u) and amended to read:
 20.455 (1) (u) *Recyclable and nonrecyclable products regulation.* From the recycling fund, the amounts in the schedule for the implementation and enforcement of ss. 100.29, 100.295 and 100.33 130.23, 130.24 and 130.26.

SECTION 47j. 20.115 (2) (e) of the statutes is created to read:
 20.115 (2) (e) *Bovine tuberculosis research.* The amounts in the schedule for bovine tuberculosis research under s. 95.179.

SECTION 47m. 20.115 (4) (g) of the statutes is amended to read:

20.115 (4) (g) *Pari-mutuel racing supplemental aid.* All moneys received from s. 20.192 (4) 20.197 (1) (g) 1, to provide state aids to counties and agricultural societies, associations or boards and to incorporated dairy or livestock associations.

SECTION 47n. 20.115 (4) (h) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.115 (4) (h) *Pari-mutuel racing supplemental aid to Wisconsin livestock breeders association.* All moneys transferred from the appropriation under s. 20.192 (4) 20.197 (1) (g) 1r to provide aid to the Wisconsin livestock breeders association for the conduct of junior livestock shows and other livestock educational programs under s. 93.31.

SECTION 47p. 20.115 (7) (q) of the statutes is created to read:

20.115 (7) (q) *Gypsy moth eradication.* From the conservation fund, the amounts in the schedule for the department to eradicate gypsy moths under chs. 93 to 100.

SECTION 47pg. 20.115 (7) (w) of the statutes is created to read:

20.115 (7) (w) *Agricultural chemical cleanup program, reimbursement.* From the agricultural management fund, all moneys received under ss. 94.64 (3) (c) and (4) (av), 94.68 (3) (br), 94.685 (3) (s), 94.703 (3) (c), 94.704 (3m), 94.705 (6) and 94.73 (5) (e) for reimbursement of fertilizer and pesticide clean-up costs under s. 94.73.

SECTION 47pi. 20.115 (7) (x) of the statutes is created to read:

20.115 (7) (x) *Agricultural chemical cleanup program.* From the environmental fund, the amounts in the schedule for agricultural chemical cleanup program activities under s. 94.73.

Vetoed in Part

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SECTION 47r. 20.143 (1) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended 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, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under s. 560.665; for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m); and for the grants under 1991 Wisconsin Act (this act), section 9115 (2p) and (2x).

Vetoed in Part

SECTION 47rb. 20.143 (1) (c) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated 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, 560.625, 560.63, 560.64 and 560.66; for loans under ss. 560.16 and 560.165; for grants under s. 560.665; and for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m).

SECTION 47t. 20.143 (1) (er) of the statutes is amended to read:

20.143 (1) (er) *Rural economic development program.* Biennially, the amounts in the schedule for grants and loans under s. 560.17 and for the grant under 1991 Wisconsin Act (this act), section 9115 (1j).

SECTION 47v. 20.143 (1) (er) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.143 (1) (er) *Rural economic development program.* Biennially, the amounts in the schedule for grants and loans under s. 560.17.

Vetoed in Part

SECTION 49. 20.143 (1) (ie) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.143 (1) (ie) *Wisconsin development fund, repayments.* Biennially, the amounts in the schedule for grants and loans under subch. V of ch. 560, except s. 560.65, and for loans under ss. 560.16 and 560.165. All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and 1989 Wisconsin Act 336, section 3015 (3g) shall be credited to this appropriation.

Vetoed in Part

SECTION 50g. 20.143 (2) (b) of the statutes, as affected by 1991 Wisconsin Act 39, section 259, is amended to read:

20.143 (2) (b) *Tourism marketing.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4) and 560.29 and 560.33 and for the local heritage tourism program grants under 1991 Wisconsin Act 39, section 9115 (5c) and the area promotion committee grants under 1991 Wisconsin Act (this act), section 9115 (1). Of the amounts under this paragraph not more than 50% shall be used to match funds allocated

under s. 560.29 by private or public organizations for the joint effort marketing of tourism with the state.

Vetoed in Part

SECTION 50gm. 20.143 (2) (b) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

20.143 (2) (b) *Tourism marketing.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4), 560.29 and 560.33. Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 560.29 by private or public organizations for the joint effort marketing of tourism with the state.

SECTION 51. 20.155 (1) (g) of the statutes is amended to read:

20.155 (1) (g) *Utility regulation.* The amounts in the schedule for the regulation of utilities. All Ninety percent of all moneys received by the commission under s. 184.10 (3), 196.85 or 196.855 shall be credited to this appropriation. Receipts Ninety percent of all receipts from the sale of miscellaneous printed reports and other copied material, the cost of which was originally paid under this paragraph, shall be credited to this appropriation.

SECTION 51m. 20.155 (1) (h) of the statutes is amended to read:

20.155 (1) (h) (title) *Holding company and nonutility affiliate regulation.* All Ninety percent of the moneys received by the commission under s. 196.84, for the regulation of holding companies and nonutility affiliates under s. 196.795.

SECTION 52. 20.165 (1) (g) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

20.165 (1) (g) *General program operations.* The amounts in the schedule for the licensing, rule making and regulatory functions of the department, except for preparing, administering and grading examinations. Ninety percent of all moneys received under chs. 463 and 440 to 459, except ss. 463.80, 440.05 (1) and 440.92 (8), shall be credited to this appropriation.

SECTION 54. 20.190 (1) (h) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.190 (1) (h) *State fair operations.* The amounts in the schedule for general program operations and for the grant program under s. 42.12. All moneys received for or on account of the state fair, state fair park or other events and all moneys received from the lease of the Olympic ice training center under s. 42.11 (3) shall be credited to this appropriation. The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

SECTION 54x. 20.192 (intro.) of the statutes is repealed.

SECTION 54y. 20.192 (1) (title) of the statutes is repealed.

SECTION 55g. 20.192 (1) (g) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.192 (1) (g) *General program operations.* (intro.) The amounts in the schedule for the regulation of racing under ch. 562. All moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), less the amounts appropriated under ss. 20.197 (4) (g) and 20.455 (2) (g), shall be credited to this appropriation. The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures by the racing board for the regulation of racing under ch. 562, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (e) 2 and (4), shall be transferred as follows:

SECTION 55m. 20.192 (1) (g) (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is renumbered 20.197 (1) (g) (intro.) and amended to read:

20.197 (1) (g) *General program operations.* (intro.) The amounts in the schedule for ~~the regulation of racing under ch. 562~~ general program operations under chs. 561 to 569. All moneys received by the gaming commission under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), under ch. 563, except s. 563.80, and under s. 564.02 (2), less the amounts appropriated under ~~ss. 20.197 (4) (g) and s. 20.455 (2) (g),~~ shall be credited to this appropriation. The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures by the racing board for the regulation of racing under ch. 562 under this appropriation, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (e) 2 and (4), shall be transferred as follows:

SECTION 55r. 20.192 (1) (g) 1 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1.

SECTION 55s. 20.192 (1) (g) 1r of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1r.

SECTION 56c. 20.192 (1) (g) 1s of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (1) (g) 1s and amended to read:

20.197 (1) (g) 1s. After the transfers under subds. 1 and 1r, ~~\$200,000~~ \$75,000 shall be transferred to the appropriation under sub. ~~(2)~~ (3) (hm).

SECTION 56e. 20.192 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Act 39, section 276n, is renumbered 20.197 (1) (g) 2.

SECTION 57e. 20.192 (2) (title) of the statutes is repealed.

SECTION 57m. 20.192 (2) (h) of the statutes is renumbered 20.197 (3) (h) and amended to read:

20.197 (3) (h) *Purse supplements.* All moneys received under s. 562.065 (3) (e) 1, for purse supplements under s. 562.075 (1) (b) and (2) (c). The ~~board~~ gaming commission shall determine, by rule, how much of the moneys under this appropriation shall be allocated for each of the purse supplements under s. 562.075 (1) (b) and (2) (c).

SECTION 57s. 20.192 (2) (hm) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (3) (hm), and 20.197 (3) (hm) (intro.), as renumbered, is amended to read:

20.197 (3) (hm) *Special programs.* (intro.) All moneys transferred from the appropriation under sub. (1) (g) 1s, to be distributed by the ~~racing board~~ gaming commission as follows:

SECTION 57u. 20.192 (2) (i) of the statutes is renumbered 20.197 (3) (i).

SECTION 58b. 20.195 (intro.) of the statutes is repealed.

SECTION 58c. 20.195 (1) (title) of the statutes is repealed.

SECTION 59b. 20.195 (1) (q) of the statutes is renumbered 20.197 (1) (q) and amended to read:

20.197 (1) (q) *General program operations.* From the lottery fund, the amounts in the schedule for general program operations under chs. 561 to 569.

SECTION 60e. 20.195 (1) (r) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (r).

SECTION 60m. 20.195 (1) (s) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (s).

SECTION 60s. 20.195 (1) (v) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 20.197 (2) (v).

SECTION 62b. 20.197 of the statutes is created to read:

20.197 Gaming commission. There is appropriated to the gaming commission for the following programs:

- (1) GAMING OPERATIONS.
- (2) LOTTERY EXPENSES.
- (3) RACING SPECIAL PROGRAMS, SUPPLEMENTS AND GRANTS.
- (4) TRANSITIONAL FUNDING. (g) *General program operations; program revenues.* From moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), the amounts in the schedule for general program operations of the gaming commission under chs. 561 to 569.

(q) *General program operations; segregated revenues.* From the lottery fund, the amounts in the schedule for general program operations of the gaming commission under chs. 561 to 569.

SECTION 62e. 20.197 (1) (g) 1s of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed.

SECTION 62m. 20.197 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

20.197 (1) (g) 2. Any amount remaining after the transfers under subs. 1 and 1r shall lapse to the general fund.

SECTION 62s. 20.197 (3) (hm) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed.

SECTION 62t. 20.197 (4) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

Vetoed in Part

~~SECTION 62v. 20.225 (1) (em) of the statutes is created to read:~~

~~20.225 (1) (em) *Communications tower equipment.* Biennially, the amounts in the schedule for the purchase and installation of communications tower equipment under s. 39.145 (4m). No money may be encumbered from this appropriation after June 30, 1993.~~

SECTION 63. 20.235 (1) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.235 (1) (d) *Dental education contract.* The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of \$8,500 in the 1991-92 fiscal year and \$11,000 in the 1992-93 fiscal year 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 93 in the 1991-92 fiscal year and ~~115~~ 100 in the 1992-93 fiscal year.

SECTION 64. 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) *Wisconsin higher education grants and talent incentive grants.* Biennially, the amounts in the schedule to carry out the purposes of s. 39.435, ~~less the amounts charged to the appropriation under par. (m).~~

SECTION 65. 20.235 (1) (m) of the statutes is repealed.

SECTION 66. 20.235 (1) (n) of the statutes is repealed.

SECTION 67. 20.245 (3) (d) of the statutes is created to read:

20.245 (3) (d) *Historical markers; state-funded markers and plaques.* The amounts in the schedule for state-funded historical markers and plaques under s. 44.15 (4).

SECTION 68m. 20.255 (1) (dt) of the statutes is created to read:

20.255 (1) (dt) *Educational assessment program.* The amounts in the schedule for the educational assessment program under s. 118.30.

Vetoed in Part

Vetoed in Part

~~SECTION 69m. 20.255 (1) (hm) of the statutes is amended to read:~~

~~20.255 (1) (hm) *Services for drivers.* The amounts in the schedule for services for drivers. All moneys transferred from s. 20.435 (6) (h) 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 (6) (h) for services for drivers.~~

Vetoed in Part

SECTION 70g. 20.255 (2) (dc) of the statutes is created to read:

20.255 (2) (dc) *Professional development.* The amounts in the schedule for professional development activities under s. 119.84.

SECTION 70r. 20.255 (2) (dm) of the statutes is amended to read:

20.255 (2) (dm) *Grants for early alcohol and other drug abuse prevention and intervention programs.* The amounts in the schedule for head start supplements and grants to school districts under s. 115.361. No money may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 71m. 20.255 (2) (ds) of the statutes is created to read:

20.255 (2) (ds) *Management restructuring programs.* The amounts in the schedule for grants to school districts for management restructuring programs under s. 118.013 (3). In the 1993-94 fiscal year, the legislature intends to appropriate \$500,000 under this paragraph. No moneys may be encumbered under this paragraph after June 30, 1994.

SECTION 72m. 20.255 (2) (ef) of the statutes is created to read:

20.255 (2) (ef) *Collaborative projects.* The amounts in the schedule for grants to school districts for collaborative projects under s. 115.28 (35).

SECTION 73m. 20.255 (2) (eg) of the statutes is created to read:

20.255 (2) (eg) *Collaborative service programs.* The amounts in the schedule for grants for collaborative service programs under s. 115.40.

SECTION 74m. 20.255 (2) (eh) of the statutes is created to read:

20.255 (2) (eh) *Head start supplement.* The amounts in the schedule for the head start supplement under s. 115.3615.

SECTION 75m. 20.255 (2) (em) of the statutes is created to read:

20.255 (2) (em) *Grants for mathematics and science programs.* The amounts in the schedule for grants to school districts for enhanced mathematics and science programs under s. 115.364.

SECTION 76m. 20.255 (2) (f) of the statutes is repealed.

SECTION 77m. 20.255 (2) (fh) of the statutes is created to read:

20.255 (2) (fh) *Grants for staff development.* The amounts in the schedule for grants to school districts and cooperative educational service agencies for staff development under s. 115.366.

SECTION 77p. 20.255 (2) (u) of the statutes is created to read:

20.255 (2) (u) *Aid for handicapped education transportation.* From the transportation fund, the amounts in the schedule for the payment of handicapped education transportation aid under s. 115.88 (2). If the amount appropriated under this paragraph is insufficient to pay the full amount of aid under s. 115.88 (2), the balance shall be paid from the appropriation under par. (b). No moneys may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 78m. 20.285 (1) (cr) of the statutes is repealed.

Vetoed in Part SECTION 78n. 20.285 (1) (te) of the statutes is created to read:

~~20.285 (1) (te) *Extension hazardous waste education.* From the environmental fund, 28% of the moneys received under s. 144.442 (1s) (b) 1m for the university of Wisconsin-extension small business hazardous waste information and education program under s. 36.25 (30g).~~

Vetoed in Part SECTION 78p. 20.292 (1) (dc) of the statutes is amended to read:

~~20.292 (1) (dc) *Incentive grants.* As a continuing appropriation, the amounts in the schedule for incentive grants to district boards under s. 38.27.~~

SECTION 79. 20.370 (1) (dq) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.370 (1) (dq) *Water resources — Fox river management.* Biennially, the amounts in the schedule for the management and operation of the Fox river locks and facilities, for expenses of the Fox river management commission under s. 30.93 and, before July 1, 1991 1993, for the implementation of the April 1989 long-range plan prepared by the east central Wisconsin regional planning commission and the lower Fox river/Winnebago pool long-range plan task force under 1991 Wisconsin Act ... (this act), section 9142 (1z). No moneys may be encumbered under this paragraph, except for the implementation of the long-range plan under 1991 Wisconsin Act ... (this act), section 9142 (1z), after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 79m. 20.370 (1) (ds) of the statutes is created to read:

20.370 (1) (ds) *Water resources — Portage canal; Fort Winnebago.* The amounts in the schedule for the planning costs and study under 1991 Wisconsin Act ... (this act), section 9142 (11w). No moneys may be encumbered from this appropriation after June 30, 1993.

SECTION 80. 20.370 (1) (fe) 1 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (1) (fe) 1. From the general fund, a sum sufficient in fiscal year 1992-93 1993-94 and in each fiscal year thereafter that equals the sum of the amount cer-

tified in that fiscal year under s. 71.10 (5) (h) 3 for the previous fiscal year and the amounts received under s. 20.370 (1) (gr) in that fiscal year for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed \$500,000 in a fiscal year.

SECTION 81. 20.370 (1) (fe) 1m of the statutes is created to read:

20.370 (1) (fe) 1m. From the general fund, a sum sufficient in fiscal year 1992-93 that equals the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3 for fiscal year 1991-92 and the amounts received under s. 20.370 (1) (gr) in fiscal year 1991-92 for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed \$450,000 in a fiscal year.

SECTION 82r. 20.370 (1) (mu) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.370 (1) (mu) *General program operations — state funds.* The amounts in the schedule for general program operations under ss. 23.09 to 23.11, 27.01 and 30.203 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29.

SECTION 83c. 20.370 (2) (bg) of the statutes is created to read:

20.370 (2) (bg) *Air management — stationary sources.* The amounts in the schedule for purposes related to stationary sources of air contaminants as specified in s. 144.399 (2) (b). All moneys received from fees imposed under s. 144.399 (2) (a), except moneys appropriated under sub. (8) (mg), shall be credited to this appropriation.

SECTION 84c. 20.370 (2) (bh) of the statutes is created to read:

20.370 (2) (bh) *Air management — vapor recovery administration.* From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), the amounts in the schedule to administer programs related to vapor control systems for the control of volatile organic compound emissions.

SECTION 85c. 20.370 (2) (bi) of the statutes is created to read:

20.370 (2) (bi) *Air management — mobile sources.* From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm) and not appropriated under par. (bh), the amounts in the schedule for air quality management programs, including the development and implementation of plans under s. 144.31 (1) (f), related primarily to mobile sources of air contaminants.

SECTION 86. 20.370 (2) (ci) of the statutes, as affected by 1991 Wisconsin Act 39, 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) or (5), except for purposes described in par. (ei), and for other activities to reduce air pollution, as provided in s. 144.399 (6). All moneys received from fees imposed under s. 144.399 (1) and (5), except moneys appropriated under par. (ei), shall be credited to this appropriation.

SECTION 86m. 20.370 (3) (ma) of the statutes is amended to read:

20.370 (3) (ma) *General program operations — state funds.* From the general fund, the amounts in the schedule for regulatory and enforcement operations under chs. 30, 31, 144, 147, 159 and 162 and ss. 44.47, 59.971, 59.974, 61.351, 61.354, 62.231, 62.234 and 87.30, for reimbursement of the conservation fund for expenses incurred for actions taken under s. 166.04; for review of environmental impact requirements under ss. 1.11 and 23.40; and for enforcement of the treaty-based, off-reservation rights to fish, hunt and gather held by members of federally recognized American Indian tribes or bands.

SECTION 87g. 20.370 (4) (bu) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (bu) *Recreation aids — recreational boating projects; Milwaukee river study.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92 and, for the engineering and environmental study under s. 31.307 and for a bridge under 1991 Wisconsin Act (this act), section 9142 (1m).

SECTION 87gg. 20.370 (4) (bu) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

20.370 (4) (bu) *Recreation aids — recreational boating projects; Milwaukee river study.* As a continuing appropriation, the amounts in the schedule for recreational boating aids under s. 30.92 and for the engineering and environmental study under s. 31.307.

SECTION 87r. 20.370 (4) (ca) of the statutes is repealed.

SECTION 87t. 20.370 (4) (cc) of the statutes is amended to read:

20.370 (4) (cc) *Environmental aids; nonpoint source.* From the general fund, as a continuing appropriation, the amounts in the schedule a sum sufficient, but not to exceed, from July 1, 1991, to June 30, 1993, \$28,751,500, for the nonpoint source water pollution abatement program under s. 144.25 for grants for the installation of best management practices and for financial assistance for the implementation of this program. Beginning in fiscal year 1990-91, the department shall allocate \$300,000 in each fiscal year from this appropriation for grants under s. 144.25 (8) (cm).

SECTION 89c. 20.370 (4) (cg) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (cg) *Environmental aids — vapor recovery grants.* All of the moneys received from the petroleum inspection fee under s. 168.12 (4) (1) that are distrib-

uted under s. 168.12 (1) (b) for grants under s. 144.405 (5).

SECTION 89d. 20.370 (4) (cs) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

20.370 (4) (cs) *Environmental aids — lake management grants.* From the transportation fund, as a continuing appropriation, the amounts in the schedule for lake management grants under s. 144.254.

SECTION 89e. 20.370 (4) (ig) of the statutes is created to read:

20.370 (4) (ig) *Aids administration — vapor recovery grants.* From the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), after deducting the amounts appropriated under sub. (2) (bh) and (bi), the amounts in the schedule to administer grants under s. 144.405 (5).

SECTION 89sg. 20.370 (8) (mg) of the statutes is created to read:

20.370 (8) (mg) *General program operations — stationary sources.* From the moneys received from fees imposed under s. 144.399 (2) (a), the amounts in the schedule for the administration of the operation permit program under ss. 144.30 to 144.426 and 144.96.

SECTION 89sm. 20.370 (8) (mh) of the statutes is created to read:

20.370 (8) (mh) *General program operations — mobile sources.* The amounts in the schedule for the administration of the mobile source air pollution program under ss. 144.30 to 144.426. All moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), except moneys appropriated under subs. (2) (bh) and (bi) and (4) (ig) and s. 20.395 (4) (dg), shall be credited to this appropriation.

SECTION 89sp. 20.395 (1) (av) of the statutes is created to read:

20.395 (1) (av) *Assistance for Forest county, state funds.* Biennially, the amounts in the schedule to make the payment under 1991 Wisconsin Act (this act), section 9155 (3f). No moneys may be encumbered from this appropriation after December 31, 1992.

SECTION 89sq. 20.395 (1) (av) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 90. 20.395 (2) (dq) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.395 (2) (dq) *Local airport development, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35; for developing air marking and other air navigational facilities; and for the purposes of 1991 Wisconsin Act 39.... (this act), section 9155 (7) (1x).

SECTION 91c. 20.395 (4) (dg) of the statutes is created to read:

20.395 (4) (dg) *Demand management.* From the general fund, from the moneys received from the petroleum inspection fee under s. 168.12 (1) that are distributed under s. 168.12 (1) (bm), after deducting the amounts appropriated under s. 20.370 (2) (bh) and (bi) and (4) (ig), the amounts in the schedule for activities related to demand management, as defined in s. 85.24 (2) (a), and air quality assessment.

SECTION 94c. 20.435 (1) (ak) of the statutes is amended to read:

20.435 (1) (ak) (title) *Continuation coverage and medical leave premium subsidies.* Biennially, the amounts in the schedule to make premium payments under ~~ss. 146.88 and 146.882.~~

SECTION 94g. 20.435 (1) (cc) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.435 (1) (cc) *Cancer control and prevention.* The amounts in the schedule for cancer control and prevention grants under s. 146.027 and for the breast cancer screening program under ~~s. 146.0275 and~~ 1991 Wisconsin Act 39, section 9125 (13g). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for cancer control and prevention grants under ~~ss. s. 146.027 and 146.0275~~ between fiscal years under this paragraph. All funds allocated by the department under s. 146.027 (2) ~~or 146.0275~~ but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 94h. 20.435 (1) (cd) of the statutes is created to read:

20.435 (1) (cd) *Breast cancer screening and services.* ~~As a continuing appropriation,~~ the amounts in the schedule for breast cancer screening and services under s. 146.0275.

Vetoed in Part

SECTION 95. 20.435 (1) (dv) of the statutes is repealed.

Vetoed in Part

SECTION 96m. 20.435 (1) (ek) of the statutes is created to read:

20.435 (1) (ek) *Cooperative American Indian health projects.* The amounts in the schedule for grants for cooperative American Indian health projects under s. 146.19.

Vetoed in Part

SECTION 97b. 20.435 (1) (em) of the statutes is amended to read:

20.435 (1) (em) *Supplemental food program for women, infants and children benefits.* ~~The~~ ~~As a continuing appropriation,~~ 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 98. 20.435 (1) (es) of the statutes is amended to read:

20.435 (1) (es) *Supplemental food program for women, infants and children administration.* The amounts in the schedule to pay administrative con-

~~tract 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. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer moneys between fiscal years under this paragraph. All moneys appropriated for a particular fiscal year that are transferred to the next fiscal year and are not encumbered by September 30 of that next fiscal year shall lapse to the general fund on the succeeding October 1.~~

Vetoed in Part

SECTION 99. 20.435 (1) (fb) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 99e. 20.435 (1) (fd) of the statutes is created to read:

20.435 (1) (fd) *Domestic abuse identification training program grant.* Biennially, the amounts in the schedule for the grant under 1991 Wisconsin Act ... (this act), section 9125 (7w).

Vetoed in Part

SECTION 99em. 20.435 (1) (fd) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 101. 20.435 (1) (gp) of the statutes is amended to read:

20.435 (1) (gp) *Health care; aids.* All moneys received under s. 146.99, less the amounts appropriated under par. (gq), to be used for purchase of primary health care services under s. 146.93.

SECTION 102. 20.435 (1) (gq) of the statutes is repealed.

SECTION 102m. 20.435 (1) (mc) of the statutes is amended to read:

20.435 (1) (mc) *Block grant operations.* See sub. (9) (mc). No more than 10% of the moneys appropriated under this paragraph, as they relate to the state operations of the maternal and child health block grant program under 42 USC 701 to 709, may be used for administration, except that administration does not include medical, nursing, dental or other health care provider administrative positions funded by these moneys.

Vetoed in Part

SECTION 103. 20.435 (1) (r) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 20.435 (1) (rm), and 20.435 (1) (rm) (title), as renumbered, is amended to read:

20.435 (1) (rm) (title) *Emergency medical services; aids.*

SECTION 104. 20.435 (1) (rg) of the statutes is created to read:

20.435 (1) (rg) *Emergency medical services; general program operations.* From the transportation fund, the amounts in the schedule for general program operations relating to emergency medical services.

SECTION 106b. 20.435 (3) (ej) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.435 (3) (ej) *Early intervention program.* The amounts in the schedule for the early intervention pro-

Vetoed in Part

Vetoed in Part ~~grams for high-risk youths under s. 46.264. No money may be encumbered from the appropriation under this paragraph after June 30, 1993.~~

SECTION 109. 20.435 (4) (cn) of the statutes, as affected by 1991 Wisconsin Act 39, section 472, is amended to read:

20.435 (4) (cn) *Child care for recipients and former recipients of aid to families with dependent children.* As a continuing appropriation, ~~the~~ The amounts in the schedule for paying child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.50 (6g), for child care and related transportation costs under s. 49.50 (7) (e) and for child care costs under s. 49.50 (6e) (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

Vetoed in Part SECTION 110. 20.435 (4) (df) of the statutes, as affected by 1991 Wisconsin Act 39, section 520, is amended to read:

20.435 (4) (df) *Employment and training programs.* As a continuing appropriation, ~~the~~ The amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ss. 46.253 and 49.50 (7m), the guaranteed jobs program under s. 49.50 (7p) and the food stamp employment and training project under s. 49.124 and, after December 31, 1991, paying child care costs under s. 49.50 (6e) (a). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

Vetoed in Part SECTION 111. 20.435 (4) (df) of the statutes, as affected by 1991 Wisconsin Act 39, section 474, and 1991 Wisconsin Act 39, section 474, is repealed and recreated to read:

20.435 (4) (df) *Employment and training programs.* The amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs

under ss. 46.253 and 49.50 (7m) and the food stamp employment and training project under s. 49.124 and, after December 31, 1991, paying child care costs under s. 49.50 (6e) (a). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

Vetoed in Part SECTION 112m. 20.435 (6) (hx) of the statutes is amended to read:

20.435 (6) (hx) *Services for drivers, receipts.* The amounts in the schedule for services for drivers. All moneys received from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.635 shall be credited to this appropriation. These moneys may shall be transferred to par. (hz), sub. (7) (hy) and ss. 20.253 (1) (hm), 20.285 (1) (ia) and 20.455 (5) (h) by the secretary of administration after consultation with the secretaries of health and social services and transportation, the superintendent of public instruction, the attorney general and the president of the university of Wisconsin system.

SECTION 112n. 20.435 (6) (hz) of the statutes is amended to read:

20.435 (6) (hz) *Services for drivers, state operations.* The amounts in the schedule to finance state operations associated with the administrative costs for services for drivers. All moneys transferred from par. (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under par. (hx) to finance state operations associated with the administrative costs for services for drivers.

SECTION 118. 20.435 (7) (eg) of the statutes is amended to read:

20.435 (7) (eg) *Programs for adolescents and adolescent parents.* The amounts in the schedule for provision and start-up of day care programs school boards for student parents under s. 46.99 and for the provision of adolescent self-sufficiency and pregnancy prevention programs under s. 46.995 and for adolescent choices project grants under s. 46.997 (2).

Vetoed in Part SECTION 118m. 20.435 (7) (ew) of the statutes is amended to read:

20.435 (7) (ew) *Runaway services.* The amounts in the schedule for the allocations specified under 1989 Wisconsin Act 31, section 3023 (28w), and under s. 46.263.

Vetoed in Part SECTION 119d. 20.435 (7) (hy) of the statutes is amended to read:

20.435 (7) (hy) *Services for drivers, local assistance.* The amounts in the schedule for the purpose of s. 51.42 for drivers referred through assessment, to be allocated according to a plan developed by the department of health and social services. All moneys trans-

Vetoed in Part ~~ferred from sub. (6) (ix) shall be credited to the appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under sub. (6) (ix) for the purpose of s. 51.42 for drivers referred through assessment, to be allocated according to a plan developed by the department of health and social services.~~

SECTION 119g. 20.435 (7) (o) of the statutes, as affected by 1991 Wisconsin Act 39, section 539e, is amended to read:

20.435 (7) (o) *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 s. 48.985, all federal child care and development block grant funds received under 42 USC 9858 as that are allocated under s. 46.40 (4) (a) 2 for distribution under s. 46.98 (2) and as allocated under 1991 Wisconsin Act (this act), section 9125 (2j), all federal moneys received as child care grants under 42 USC 603 (n) as allocated under s. 46.40 (4) (b) 2 and distributed under s. 46.98 (2g) 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 disbursement of federal funds or directly to tribal governing bodies under s. 46.70. The department shall, on December 31 of any year, transfer to sub. (6) (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 120. 20.445 (1) (j) of the statutes, as affected by 1991 Wisconsin Act 39, 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, IV and VI 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. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 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, the amount specified in the schedule under s. 20.115 (1) (im) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.115 (1) (im) in each fiscal year. From the amounts received under s. 168.12, \$22,000 shall be transferred to the appropriation under s. 20.115 (1) (j) in fiscal year 1991-92 and \$31,000 in fiscal year 1992-93, for equipment to test the accuracy of fuel measuring devices. From the amounts received under s. 168.12, \$353,800 in fiscal

year 1991-92 and \$400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12, \$500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.

SECTION 120em. 20.445 (1) (j) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), 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, IV and VI 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. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 101.973 (7), 168.12 (1) and (2) to (6) and 236.12 (7) and all of the moneys received under s. 168.12 that are distributed under s. 168.12 (1) (d) shall be credited to this appropriation. From the amounts received under s. 168.12 (1), the amount specified in the schedule under s. 20.115 (1) (im) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.115 (1) (im) in each fiscal year. From the amounts received under s. 168.12 (1), \$22,000 shall be transferred to the appropriation under s. 20.115 (1) (j) in fiscal year 1991-92 and \$31,000 in fiscal year 1992-93, for equipment to test the accuracy of fuel measuring devices. From the amounts received under s. 168.12 (1), \$353,800 in fiscal year 1991-92 and \$400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12 (1), \$500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.

~~SECTION 121m. 20.450 of the statutes is created to read:~~

~~20.450 *Inmate death investigation board.* There is appropriated to the inmate death investigation board for the following program:~~

~~(1) *INMATE DEATH INVESTIGATIONS.* (a) *General program operations.* As a continuing appropriation, the amounts in the schedule for general program operations of the inmate death investigation board and for payments for investigations.~~

~~(g) *Gifts and grants.* All moneys received from gifts, grants and bequests to carry out the purposes for which made or received.~~

~~(m) *Federal aid.* All moneys received as federal aid, as authorized by the governor under s. 16.54, to carry out the purposes for which received.~~

SECTION 122. 20.455 (2) (bd) of the statutes is amended to read:

20.455 (2) (bd) *Drug law enforcement.* The amounts in the schedule for payments under s. 165.97. No moneys may be encumbered under this paragraph after June 30, 1993 1995.

Vetoed in Part

SECTION 123. 20.455 (2) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.455 (2) (e) *Drug enforcement.* A sum sufficient not to exceed ~~\$1,757,500~~ \$1,704,400 in fiscal year ~~1990-91~~ 1991-92 and \$1,714,500 in each fiscal year thereafter 1992-93, which shall consist of the amounts received under par. (ma) plus amounts from the general fund sufficient to equal ~~\$1,757,500~~ \$1,704,400 in fiscal year ~~1990-91~~ 1991-92 and \$1,714,500 in each fiscal year thereafter 1992-93 for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort, for operating costs of the crime laboratory in the city of Wausau, and to match federal funds under par. (ma) if matching funds under s. 20.505 (6) (h) are insufficient. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 123m. 20.455 (2) (g) of the statutes is created to read:

20.455 (2) (g) *Gaming law enforcement; racing revenues.* From all moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e), the amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m).

SECTION 124m. 20.455 (2) (k) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.455 (2) (k) *Interagency and intra-agency assistance; investigations.* All moneys received from any state agency regarding anti-drug abuse law enforcement assistance and drug investigations and analysis ~~or regarding gambling investigations~~ to carry out the purposes for which received.

SECTION 125m. 20.455 (2) (r) of the statutes is created to read:

20.455 (2) (r) *Gaming law enforcement; lottery revenues.* From the lottery fund, the amounts in the schedule for the performance of the department's gaming law enforcement responsibilities as specified in s. 165.70 (3m).

Vetoed in Part SECTION 125p. 20.455 (4) (a) of the statutes is created to read:

~~20.455 (4) (a) *Financial hardship assistance for school districts.* A sum sufficient for grants to school districts under s. 24.85. No funds may be encumbered from this appropriation after June 30, 1994.~~

SECTION 126. 20.455 (4) (h) of the statutes is amended to read:

20.455 (4) (h) *General program operations.* The amounts in the schedule for the operations of the division of trust lands and investments as indicated under ss. 24.04, 24.53 and 24.62 (1). All amounts deducted from the gross receipts of the appropriate funds as indicated under ss. 24.04, 24.53 and 24.62 (1) shall be credited to this appropriation. On June 30, 1992, \$25,100 shall lapse to the general fund. On each succeeding June 30, an amount shall lapse to the general

fund as determined by the secretary of administration by multiplying the average rate used for the department of justice during that fiscal year to establish indirect cost reimbursements, as defined in s. 16.54 (9) (a) 2, by the cost to continue payment under this paragraph of salaries for all positions for the division of trust lands and investments at the beginning of that fiscal year, as affected by the applicable biennial budget act.

~~SECTION 126m. 20.455 (5) (h) of the statutes is amended to read:~~

~~20.455 (5) (h) *Crime victim compensation services.* The amounts in the schedule to provide crime victim compensation services. All moneys transferred from s. 20.435 (6) (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 (6) (hx) to provide crime victim compensation services.~~

Vetoed in Part

SECTION 127. 20.455 (5) (i) of the statutes is created to read:

20.455 (5) (i) *Victim compensation, inmate payments.* All moneys received under s. 303.06 (2) for the administration of ch. 949 and for crime victim compensation payments or services.

~~SECTION 127m. 20.485 (2) (c) of the statutes is created to read:~~

~~20.485 (2) (c) *Inpatient care for residents of King.* From the general fund, a sum sufficient to provide payments under s. 45.37 (18) for inpatient care provided to residents of the veterans home at King by the county in which the veterans home is located if medicare, medical assistance, other public programs except general relief, or private insurance are not available to pay for the care. Moneys may not be spent from this appropriation without the approval of the joint committee on finance.~~

Vetoed in Part

SECTION 127mg. 20.485 (2) (rc) of the statutes is created to read:

20.485 (2) (rc) *Homeless veterans reintegration.* The amounts in the schedule for grants under s. 45.43 (7) (d) for the long-term transitional housing program of the minority homeless veterans reintegration project operating in Milwaukee county on June 30, 1991, and for grants to organizations in other counties providing long-term transitional housing to homeless veterans.

SECTION 127mm. 20.485 (2) (rs) of the statutes is created to read:

20.485 (2) (rs) *Retired senior volunteer program grants.* The amounts in the schedule for grants under s. 45.352 to retired senior volunteer programs.

SECTION 127p. 20.485 (2) (sm) of the statutes is created to read:

20.485 (2) (sm) *Payments related to The Highground.* From the transportation fund, as a continuing appropriation, the amounts in the schedule to make payments under s. 45.03 (3) related to the veterans memorial at The Highground in Clark county. Moneys may not be spent from this appropriation

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without the approval of the joint committee on finance.

Vetoed in Part SECTION 127. 20.505 (1) (is) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.505 (1) (is) *Information technology services to nonstate entities.* The amounts in the schedule to provide computer services, telecommunications services and supercomputer services to local governmental units under s. 16.973 (2) and (3) and to provide supercomputer services to entities in the private sector. All moneys received from local governmental units and entities in the private sector for provision of computer services, telecommunications services and supercomputer services shall be credited to this appropriation.

SECTION 128ac. 20.505 (1) (kL) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.505 (1) (kL) *Information technology services to agencies.* The amounts in the schedule to provide information technology processing services to state agencies under ss. 16.973 and 16.974. All moneys received from state agencies for the provision of information technology processing services shall be credited to this appropriation. The unencumbered balance of moneys in this appropriation account on June 30 of each fiscal year shall be transferred to the appropriation account under par. (L).

SECTION 128m. 20.505 (1) (L) of the statutes is created to read:

20.505 (1) (L) *Information technology capital expenses.* All moneys transferred from the account under par. (kL) to be used for the acquisition of information technology processing operational facilities and capital equipment, for the use of the division of information technology services.

SECTION 129. 20.505 (4) (fm) of the statutes is repealed.

SECTION 130. 20.505 (4) (fn) of the statutes is repealed.

SECTION 131. 20.505 (4) (i) of the statutes is repealed.

SECTION 132m. 20.505 (5) (g) of the statutes is created to read:

Vetoed in Part 20.505 (5) (g) *Principal repayment, interest and rebates; parking ramp.* From the fees collected under s. 16.843 (2) (cm), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing land acquisition for and construction of the parking ramp located at the state office building at 1 West Wilson street in the city of Madison, and to make the payments determined by the building commission under s. 13.488 (1) (m) that are attributable to the proceeds of obligations incurred in financing that parking ramp.

SECTION 132n. 20.505 (5) (ka) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.505 (5) (ka) *Facility operations and maintenance.* The amounts in the schedule for the purpose of financing the costs of operation of state-owned or operated facilities that are not funded from other appropriations, including protective services; custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning; costs incurred under s. 16.895 by or on behalf of the department; and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841. All moneys received from state agencies for the operation of such facilities, parking rental fees established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys received from assessments under s. 16.895, and all moneys transferred from the appropriation under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation.

SECTION 132p. 20.505 (5) (kb) of the statutes is created to read:

20.505 (5) (kb) ~~One West Wilson street parking ramp.~~ The amounts in the schedule for the purpose of financing the costs specified in s. 16.843 (2) (cm) related to the parking ramp at the state office building located at 1 West Wilson street in the city of Madison. All moneys received from parking rental fees established under s. 16.843 (2) (cm) shall be credited to this appropriation.

Vetoed in Part

Vetoed in Part

SECTION 132rb. 20.505 (5) (q) of the statutes is created to read:

20.505 (5) (q) *Energy efficiency revolving loans.* From the conservation projects and monitoring account in the energy efficiency fund, all moneys received in the conservation projects and monitoring account in the energy efficiency fund, except moneys appropriated under par. (gg), to make loans under s. 16.847 (6) (b).

Vetoed in Part

SECTION 132rd. 20.505 (5) (gg) of the statutes is created to read:

20.505 (5) (gg) *Maintenance, monitoring and education.* From the conservation projects and monitoring account in the energy efficiency fund, the amounts in the schedule for maintenance of energy efficiency projects, for energy efficiency monitoring and for education programs under s. 16.847 (9).

Vetoed in Part

SECTION 132r. 20.505 (5) (gr) of the statutes is created to read:

20.505 (5) (gr) *Energy efficiency construction revolving loans.* From the construction projects account in the energy efficiency fund, all moneys received in the energy efficiency fund and allocated to the construction projects account to make loans under s. 16.847 (6) (a).

SECTION 132s. 20.505 (9) (title) of the statutes is created to read:

20.505 (9) (title) PROPERTY TAX DEFERRAL.

SECTION 132t. 20.505 (9) (a) of the statutes is created to read:

20.505 (9) (a) *Property tax deferral program; loans.* The amounts in the schedule for property tax deferral loans under subch. X of ch. 16.

SECTION 132w. 20.505 (9) (b) of the statutes is created to read:

20.505 (9) (b) *Property tax deferral program; administration.* The amounts in the schedule to administer the program under subch. X of ch. 16.

SECTION 133. 20.515 (1) (ut) of the statutes is created to read:

20.515 (1) (ut) *Health insurance data collection and analysis contracts.* From the public employe trust fund, the amounts in the schedule for the costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j).

SECTION 133e. 20.521 (1) (i) of the statutes is created to read:

20.521 (1) (i) *Materials and services.* The amounts in the schedule for the costs of publishing documents, locating and copying records, postage and shipping and conducting programs under s. 19.48 (9). All moneys received by the board from sales of documents, and from fees collected for copies of records, for postage, for shipping and location fees, and from fees assessed to participants in programs under s. 19.48 (9) shall be credited to this appropriation.

SECTION 134sb. 20.566 (8) (title) of the statutes is repealed.

SECTION 134sc. 20.566 (8) (q) of the statutes is repealed.

SECTION 134sd. 20.566 (8) (v) of the statutes is repealed.

SECTION 134se. 20.566 (8) (w) of the statutes is repealed.

SECTION 134sf. 20.566 (8) (wa) of the statutes is repealed.

Vetoed in Part SECTION 138m. 20.680 (2) (c) of the statutes is created to read:

20.680 (2) (c) *Mediation council.* The amounts in the schedule for the general program operations of the mediation council under s. 758.15.

SECTION 142. 20.680 (3) (c) of the statutes is created to read:

20.680 (3) (c) *Board of bar examiners; state funding.* The amounts in the schedule to supplement the appropriation under par. (g) for the operational expenses of the board of bar examiners.

SECTION 143. 20.680 (3) (c) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 143m. 20.765 (3) (ka) of the statutes is amended to read:

20.765 (3) (ka) *Audit bureau service charges.* The amounts in the schedule for the provision of auditing services requested by state agencies or by the federal government, for actuarial audits of the Wisconsin retirement system, for audits of the racing board and

for audits of the state lottery and, to the extent of the lottery board's participation, of any multistate lotteries in which the state participates gaming commission and verifications of the odds of winning a lottery game under s. 565.37 (5). All moneys received by the legislative audit bureau from charges assessed to departments under s. 13.94 (1s) shall be credited to this appropriation.

SECTION 144. 20.835 (1) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

20.835 (1) (b) *Small municipalities shared revenue.* A sum sufficient to make the payments under s. 79.03 (3c).

SECTION 145. 20.835 (1) (d) of the statutes is amended to read:

20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.03 and 79.04 and 79.06.

~~SECTION 145p. 20.835 (3) (b) of the statutes is repealed.~~

~~SECTION 145r. 20.835 (3) (f) of the statutes is created to read:~~

~~20.835 (3) (f) *Property tax relief credits.* A sum sufficient to make the payments determined under s. 79.10 (6g).~~

SECTION 149m. 20.866 (1) (u) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under ss. 20.190 (1) (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), 20.320 (1) (c) and (t), 20.370 (1) (jq), (kc) and (kw), (2) (jc), (4) (jf), (jb), (jc), (jd) and (je) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko), 20.435 (2) (ee), (3) (e) and (5) (e), 20.465 (1) (d), 20.485 (1) (f) and (3) (t), 20.505 (5) (g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

SECTION 150m. 20.866 (2) (t) of the statutes, as affected by 1991 Wisconsin Act 39, 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 ~~\$224,766,600~~ \$232,366,600 for this purpose. Of this amount, \$4,500,000 is allocated only for the university of Wisconsin-Madison indoor practice facility for athletic

Vetoed in Part

programs and only at the time that ownership of the facility is transferred to the state.

Vetoed
in Part

~~SECTION 151m. 20.866 (2) (tz) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~20.866 (2) (tz) *Natural resources, stewardship program.* From the capital improvement fund a sum sufficient for the purposes specified in s. 23.0915 (1). The state may contract public debt in an amount not to exceed \$250,000,000 for this purpose. Except as provided in s. 23.0915 (2) and (2g), the amounts expended under this paragraph and the amounts received and expended by the state for land acquisition under 16 USC 669-669i, 777-777i and 4601-4601-22 may not exceed \$25,000,000 in each fiscal year.~~

SECTION 152. 20.866 (2) (y) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed \$12,859,200 ~~\$116,671,400~~ for this purpose.

SECTION 152m. 20.866 (2) (ya) of the statutes is created to read:

20.866 (2) (ya) *Building commission; 1 West Wilson street parking ramp.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of construction of a parking ramp at the state office building located at 1 West Wilson street in the city of Madison. The state may contract public debt in an amount not to exceed \$15,100,000 for this purpose.

SECTION 153. 20.866 (2) (zo) of the statutes is amended to read:

20.866 (2) (zo) *Veterans affairs, refunding bonds.* From the funds and accounts under s. 18.04 (6) (b), a sum sufficient for the department of veterans affairs to fund, refund or acquire the whole or any part of public debt as set forth in s. 18.04 (5). The building commission may contract public debt in an amount not to exceed ~~\$300,000,000~~ \$450,000,000 for these purposes, exclusive of public debt issued to fund or refund public debt issued for these purposes.

SECTION 153m. 20.867 (3) (e) of the statutes is created to read:

20.867 (3) (e) *Principal repayment, interest and rebates; parking ramp.* A sum sufficient to guarantee full payment of principal and interest costs for the 1 West Wilson street parking ramp in the city of Madison and to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) attributable to the proceeds of obligations incurred in financing that ramp if the moneys available in the appropriation account under s. 20.505 (5) (kb) are insufficient to make full payment of those

amounts. All amounts advanced under the authority of this paragraph shall be repaid to the general fund in instalments to be determined jointly by the department of administration and the building commission.

SECTION 153mn. 20.867 (3) (i) (title) of the statutes is amended to read:

20.867 (3) (i) (title) *Principal repayment, interest and rebates; capital equipment.*

SECTION 153n. 20.867 (3) (k) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) (gb), 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make the payments determined by the building commission under s. 13.488 (1) (m) on the proceeds of obligations specified in those paragraphs.

~~SECTION 154m. 20.912 (3m) of the statutes is amended to read:~~

~~20.912 (3m) *CONFIDENTIALITY OF CANCELED CHECKS, SHARE DRAFTS AND OTHER DRAFTS.* Information appearing in the register of canceled checks, share drafts and other drafts about a check, share draft or other draft canceled under sub. (1) is not available for inspection or copying under s. 19.35 (1) (a) until 6 years after the date of issue or until the check, share draft or other draft is reissued under sub. (3), whichever is earlier.~~

Vetoed
in Part

SECTION 156b. 20.923 (4) (e) 2m of the statutes is created to read:

20.923 (4) (e) 2m. Gaming commission: chairperson and members.

SECTION 156d. 20.923 (4) (e) 6m of the statutes is repealed.

SECTION 156r. 20.923 (4) (e) 10m of the statutes is repealed.

~~SECTION 157c. 20.923 (4) (f) 2 of the statutes is amended to read:~~

~~20.923 (4) (f) 2. Agriculture, and trade and consumer protection, department of secretary.~~

Vetoed
in Part

SECTION 157e. 20.923 (6) (hd) of the statutes is repealed.

~~SECTION 157m. 20.923 (6) (hj) of the statutes is created to read:~~

~~20.923 (6) (hj) *Mediation council; executive secretary.*~~

Vetoed
in Part

SECTION 157f. 20.923 (6) (hp) of the statutes is repealed.

SECTION 158. 20.923 (18) of the statutes is created to read:

20.923 (18) PRISON INDUSTRIES SALES POSITIONS. (a) The department, as defined in s. 230.03 (9), shall determine what positions in the classified service are comparable positions to the unclassified positions of 3 sales representatives of prison industries and one sales

manager of prison industries who are appointed under s. 303.01 (10). For each such unclassified position, the department, as defined in s. 230.03 (9), shall determine the minimum salary for each comparable position in the classified service and shall set an amount equal to that minimum salary as the salary for that unclassified position.

(b) In addition to the salary set under par. (a), each sales representative of prison industries and each sales manager of prison industries who is appointed in the unclassified service under s. 303.01 (10) shall be eligible to earn commission compensation in an amount established by the appointing authority as defined in s. 230.03 (4). That appointing authority shall establish the amount of commission compensation based on invoiced sales and new customers.

SECTION 158cm. 20.924 (1) (f) of the statutes is amended to read:

20.924 (1) (f) May authorize advance planning or architectural design of future high priority projects. ~~The commission shall not authorize advance planning or architectural design of any building project for the university of Wisconsin system unless the project is developed and approved by the board of regents of the university of Wisconsin system in conformity with s. 36.11 (25) and rules promulgated under that subsection.~~

Vetoed in Part

SECTION 158d. 20.924 (1) (h) of the statutes is created to read:

20.924 (1) (h) Shall review and may approve energy efficiency projects of the energy efficiency program under s. 16.847 as provided in s. 16.847 (7) (b).

SECTION 158g. 21.36 (2) of the statutes is amended to read:

21.36 (2) The governor may make and publish rules, regulations and orders for the government of the national guard, not inconsistent with the law, and cause the same, together with any laws relating thereto, to be printed and distributed in book form or otherwise in such numbers as he deems necessary, and he may provide for all books, blank books, and blanks that may be necessary for the proper discharge of the duty of all officers. The governor may delegate the authority under this subsection to the adjutant general by executive order.

SECTION 158m. 21.49 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 159e. 23.09 (2p) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

23.09 (2p) (c) If the moneys to be released to match a donation under par. (b) will exceed the expenditure limit under sub. (2q) (a) (2r) for a given fiscal year, as adjusted under s. 23.0915 (2) ~~and (2g)~~, the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (2q) (a) (2r), as adjusted under s. 23.0915 (2) ~~and (2g)~~ and after deducting the allocation under sub. (2dm) (b), for the

Vetoed in Part

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given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (2q) (a) (2r), as adjusted under s. 23.0915 (2) ~~and (2g)~~ and after deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

Vetoed in Part

SECTION 159q. 23.09 (2q) (title) of the statutes is amended to read:

23.09 (2q) (title) STEWARDSHIP PROGRAM; LOWER WISCONSIN STATE RIVERWAY; ICE AGE TRAIL.

SECTION 159r. 23.09 (2q) (a) of the statutes is repealed.

SECTION 159w. 23.09 (2r) of the statutes is created to read:

23.09 (2r) STEWARDSHIP PROGRAM; LAND ACQUISITION. Except as provided in s. 23.0915 (2) ~~and (2g)~~, the department in each fiscal year may not expend under sub. (2dm) ~~and (2p)~~ from the appropriation under s. 20.866 (2) (tz) more than an amount equal to the total of \$8,600,000 and any amount designated for expenditure for that fiscal year under s. 23.0915 (1g) (a) ~~and (1r) (b) 1.~~

Vetoed in Part
Vetoed in Part
Vetoed in Part

SECTION 160am. 23.0915 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

23.0915 (1) (intro.) The legislature intends that the department will expend the following designated amounts under the stewardship program from the appropriation under s. 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures beginning with fiscal year 1990-91 and ending in fiscal year 1999-2000, except as provided in pars. (cm), (cn), (L) and (m):

Vetoed in Part
Vetoed in Part

~~SECTION 160a. 23.0915 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~23.0915 (1) (a) General land acquisition, \$8,600,000 plus any additional amount under sub. (1g) (a) 1 or (1r) (b) 1.~~

~~SECTION 160b. 23.0915 (1) (cm) of the statutes is created to read:~~

~~23.0915 (1) (cm) Frank Lloyd Wright Monona terrace project, \$1,000,000, beginning in fiscal year 1993-94 and ending in fiscal year 1995-96.~~

~~SECTION 160bn. 23.0915 (1) (dn) of the statutes is created to read:~~

~~23.0915 (1) (dn) Urban river grants, the amounts calculated under sub. (1g) or (1r), beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000.~~

SECTION 160c. 23.0915 (1) (m) of the statutes is created to read:

23.0915 (1) (m) Horicon marsh interpretative center, a total of \$250,000, to be expended beginning in fiscal year 1991-92 and ending in fiscal year 1999-2000.

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SECTION 160de. 23.0915 (1g) of the statutes is created to read:

Vetoed in Part 23.0915 (1g) ~~DESIGNATED AMOUNTS; LAND ACQUISITION; URBAN RIVER GRANTS.~~ Beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000, the department for each fiscal year shall designate for expenditure \$1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) for land acquisition activities ~~under s. 23.09 (2r) and for urban river grants under s. 30.277 by making the following calculations:~~

Vetoed in Part (a) For each year, if the amount to be received by the department for land acquisition activities ~~under 16 USC 460L to 460L-22, 777 to 777L and 669 to 669L~~ is less than \$1,900,000, the department shall do all of the following:

1. Subtract the amount to be received from \$1,900,000 and add the remainder to the amount designated for expenditure for land acquisition activities under s. 23.09 (2r).

2. Subtract the remainder calculated under subd. 1 from \$1,900,000 and designate the resulting amount, if any, for expenditure for urban river grants under s. 30.277.

(b) For each fiscal year, if the amount to be received by the department for land acquisition activities ~~under 16 USC 460L to 460L-22, 777 to 777L and 669 to 669L~~ is \$1,900,000 or more, the department shall designate the \$1,900,000 for expenditure for urban river grants under s. 30.277.

SECTION 160dh. 23.0915 (1r) of the statutes is created to read:

Vetoed in Part 23.0915 (1r) ~~DESIGNATED AMOUNTS FOR CERTAIN FISCAL YEARS; LAND ACQUISITION ACTIVITIES; URBAN RIVER GRANTS.~~ Notwithstanding sub. (1g), for fiscal years 1993-94, 1994-95 and 1995-96, the department shall designate for expenditure for each fiscal year \$1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) by making the following calculations:

(a) The department shall set aside \$1,000,000 in each fiscal year to be used only for the Frank Lloyd Wright Monona terrace project as provided in s. 23.195.

Vetoed in Part (b) For each fiscal year, if the amount to be received by the department for land acquisition activities ~~under 16 USC 460L to 460L-22, 777 to 777L and 669 to 669L~~ is less than \$1,900,000, the department shall do all of the following:

1. Subtract the amount to be received from \$1,900,000 and add the remainder to the amount designated for expenditure for land acquisition activities under s. 23.09 (2r), but this remainder may not exceed \$900,000.

2. Subtract the remainder calculated under subd. 1 from \$900,000 and designate the resulting amount, if any, for expenditure for urban river grants under s. 30.277.

(c) For each fiscal year, if the amount to be received by the department for land acquisition activities under

~~16 USC 460L to 460L-22, 777 to 777L and 669 to 669L~~ is \$1,900,000 or more, the department shall designate for expenditure \$900,000 for urban river grants under s. 30.277. **Vetoed in Part**

SECTION 160dk. 23.0915 (2) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

23.0915 (2) (a) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the stewardship program for that purpose by raising the expenditure limit, as it may have been previously adjusted under this paragraph ~~and~~ par. (b) ~~and sub. (2g)~~, for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year. **Vetoed in Part**

SECTION 160dn. 23.0915 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

23.0915 (2) (b) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the department shall adjust the expenditure limit under the stewardship program for that purpose by lowering the expenditure limit, as it may have been previously adjusted under this paragraph ~~and~~ par. (a) ~~and sub. (2g)~~, for the next fiscal year by an amount equal to the remainder calculated by subtracting the amount designated for that purpose from the amount expended, as it may be affected under par. (c) or (d), for that purpose in the that given fiscal year. **Vetoed in Part**

~~SECTION 160dd. 23.0915 (2) (c) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:~~ **Vetoed in Part**

~~23.0915 (2) (c) The department may not expend in a fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that exceeds the amount equal to the expenditure limit for that purpose as it may have been previously adjusted under pars. (a) and (b) and sub. (2g) except as provided in par. (d).~~

SECTION 160dt. 23.0915 (2) (d) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

23.0915 (2) (d) (intro.) In a given fiscal year, in addition to expending the amount designated for a purpose under sub. (1) (a) ~~or (c) or (d)~~ to (k), or the amount equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b) ~~and sub. (2g)~~, whichever amount is applicable, the department may also expend for that purpose up to 50% of the designated amount for that purpose for the given fiscal year. **Vetoed in Part**

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for a project or activity if the natural resources board determines all of the following:

SECTION 160dw. 23.0915 (2g) of the statutes is created to read:

Vetoed in Part 23.0915 (2g) ~~CONTINGENCY FOR UNUSED FUNDS FOR MONONA TERRACE PROJECT.~~ If all of the money set aside under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended before July 1, 1996, the department shall make the following calculations to make the unexpended moneys available for expenditure for land acquisition activities under s. 23.09 (2r) and for urban river grants under s. 30.277:

Vetoed in Part (a) The department shall total the amounts that would have been added under sub. (1g) (a) 1 for land acquisition activities in each of the 3 applicable fiscal years if no moneys had been expended for the Frank Lloyd Wright Monona terrace project and shall subtract from that amount the total of the amounts that were added in each of the 3 applicable fiscal years under sub. (1r) (b) 1.

Vetoed in Part (b) If the amount calculated under par. (a) is greater than or equal to the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project, the department shall do all of the following:

1. Make available for expenditure for land acquisition activities under s. 23.09 (2r) an amount equal to the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project.

2. Raise the expenditure limit for land acquisition activities under s. 23.09 (2r) for fiscal year 1996-97, as it may have been previously adjusted under sub. (2), by an amount equal to the amount made available for expenditure under subd. 1.

(c) If the amount calculated under par. (a) is less than the amount set aside but not expended for the Frank Lloyd Wright Monona terrace project, the department shall do all of the following:

1. Make available for expenditure for land acquisition activities under s. 23.09 (2r) an amount equal to the amount calculated under par. (a) and raise the expenditure limit for these activities for fiscal year 1996-97, as it may have been previously adjusted under sub. (2), by the same amount.

2. Make available for expenditure for urban river grants under s. 30.277 an amount equal to the difference between the amount set aside but not expended and the amount calculated under par. (a), and raise the expenditure limit for these grants for fiscal year 1996-97, as it may have been previously adjusted under sub. (2), by this same amount.

SECTION 160e. 23.0915 (3) of the statutes is created to read:

23.0915 (3) HORICON MARSH INTERPRETATIVE CENTER. (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside during fiscal year 1991-92 for the period of time specified in par. (1) (m) \$250,000 for a project to develop a vacant building to be used as an interpretative and adminis-

trative center for the Horicon marsh area. Expenditures under this paragraph shall be made in a manner that, for every \$3 received by the department from private grants, gifts or bequests for the project, \$1 will be expended from the moneys under this paragraph.

(b) The department shall expedite the planning, design and development of the interpretative and administrative center.

SECTION 160f. 23.097 (1) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

23.097 (1) The department shall award grants to ~~counties, cities, villages and towns~~ for up to 50% of the cost of tree management plans, tree inventories, brush residue projects, the development of tree management ordinances, tree disease evaluations, public education concerning trees in urban areas and other tree projects.

SECTION 160fm. 23.117 of the statutes is created to read:

23.117 Use of trails by bicycles. (1) No person may operate a bicycle on a trail in a state park or in the Kettle Moraine state forest unless all of the following apply:

(a) The department has established a master plan for the use and management of the state park or the state forest.

(b) The department has determined that the trail will be opened for use by bicycles and has posted the trail open for such use.

(c) The opening of the trail for use by bicycles is consistent with the master plan.

(2) The department may not open a trail in a state park or in the Kettle Moraine state forest for use by bicycles on or after the effective date of this subsection [revisor inserts date], without first holding a public informational hearing on whether to open the trail.

(3) The department shall patrol on a regular basis the trails in state parks and in the Kettle Moraine state forest that are open to use by bicycles.

(4) Any council that is created by the natural resources board under s. 15.04 (1) (c) to advise the department on the opening of trails in state parks and in the Kettle Moraine state forest for use by bicycles shall have its recommendations regarding such use reviewed and approved by the natural resources board before they are implemented.

SECTION 160g. 23.16 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

23.16 (3) SUBSCRIBER LISTS. The department may refuse to reveal names and addresses of persons on any magazine or periodical subscriber list under s. 19.35 (1) (a). The department may charge a fee to recover the actual costs for providing or for the use of any magazine or periodical subscriber list. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department, the magazine or the periodical as the source of names or addresses unless the person clearly

Vetoed in Part

Vetoed in Part

Vetoed in Part indicates that the provision of or permission to use the subscriber list in no way indicates the department's knowledge, involvement, approval, authorization or connection with the person or the person's activities.

SECTION 161am. 23.195 of the statutes is created to read:

23.195 Monona terrace project in Madison. (1) Beginning in fiscal year 1993-94 and ending in fiscal year 1995-96, from the appropriation under s. 20.866 (2) (tz), the department shall set aside \$1,000,000 in each fiscal year to be expended for the Frank Lloyd Wright Monona terrace project in the city of Madison to be expended as follows:

(a) The amount of \$370,000 for a bicycle path that is part of the project.

(b) The amount of \$2,630,000 for the following purposes:

1. Construction of a pedestrian bridge improving access to Lake Monona from the downtown area of the city.

2. Construction and development of a terrace and park in conjunction with the parking facility at the state office building located at 1 West Wilson street authorized under 1991 Wisconsin Act (this act), section 9108 (1) (a).

3. Other park or recreational construction and development associated with the project.

(2) The moneys expended from the appropriation under s. 20.866 (2) (tz) for the purposes specified in sub. (1) (b) 1 to 3 shall be limited to no more than 50% of the cost of the project that is for these purposes.

Vetoed in Part (3) Except as provided in s. 23.0915 (2) (a) to (c), not more than \$1,000,000 may be expended in each fiscal year under this section from the appropriation under s. 20.866 (2) (tz).

(4) If all of the money set aside under this section is not expended before July 1, 1996, the moneys set aside but not expended shall be treated by the department in the manner provided in s. 23.0915 (2g).

SECTION 161c. 23.27 (3) (b) of the statutes is amended to read:

23.27 (3) (b) *Access to information; fees.* The department shall make information from the natural heritage inventory program available to any individual or public or private agency for research, educational, environmental, land management or similar authorized purposes. The department may establish a fee to be charged to recover the actual cost of compiling and providing this information. The department may reduce or waive the fee established under this paragraph if the department determines that a waiver or reduction of the fee is in the public interest. ~~Notwithstanding s. 19.35, the~~ The natural heritage inventory and related data are not public records subject to s. 19.35 (1) (a), and the department may refuse to release information for any purpose which is not authorized.

Vetoed in Part SECTION 161e. 23.37 (2) (intro.) of the statutes is amended to read:

Vetoed in Part 23.37 (2) (intro.) An authority which is a nonprofit corporation operating an ice rink which is owned by the state may withhold from examination and copying under s. 19.35 (1) (a) any of the following:

~~SECTION 161f. 24.61 (title) of the statutes is amended to read:~~

~~24.61 (title) Authorized investments, loans and transfers.~~

~~SECTION 161g. 24.61 (3) (c) (title) of the statutes is amended to read:~~

~~24.61 (3) (c) (title) Reserve for school districts; priority for certain school districts.~~

~~SECTION 161h. 24.61 (3) (c) of the statutes is renumbered 24.61 (3) (c) 1 and amended to read:~~

~~24.61 (3) (c) 1. To the extent practicable, in the 1989-90 to 1992-93 fiscal years, annually the board shall reserve an amount equal to at least 50% of the money available for loans under this subchapter for loans to school districts for the purposes specified under s. 24.61 (3) (a) 1.~~

~~SECTION 161i. 24.61 (3) (c) 2 of the statutes is created to read:~~

~~24.61 (3) (c) 2. The board shall give first priority for loans to school districts under this subchapter to school districts that meet the criteria specified under s. 24.85 (1) (a) to (c).~~

~~SECTION 161j. 24.61 (4) of the statutes is created to read:~~

~~24.61 (4) TRANSFERS. The secretary of administration may transfer moneys from the common school fund to the general fund under s. 24.85 (3).~~

~~SECTION 161m. 24.85 of the statutes is created to read:~~

~~24.85 Financial hardship assistance for school districts. (1) The school board of a school district that meets all of the following criteria is eligible for a grant under this section:~~

~~(a) The school board is subject to an order issued by the state superintendent of public instruction under s. 115.33 (3) after December 31, 1991, regarding non-compliance with the standard under s. 121.02 (1) (i).~~

~~(b) The school district's equalized valuation divided by its membership in the previous school year is less than 50% of the statewide average for all school districts. In this paragraph, "equalized valuation" has the meaning given in s. 121.004 (2) and "membership" has the meaning given in s. 121.004 (5).~~

~~(c) The school district's levy rate in the previous year is greater than 140% of the statewide average for all school districts.~~

~~(2) If the board approves a school district's application for a grant, the board shall certify to the secretary of administration the amount of the grant and award the grant to the school district from the appropriation under s. 20.455 (4) (a). No grant may exceed \$2,000,000 or be awarded after June 30, 1994.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed
in Part

~~(3) Upon receipt of the amount certified under sub. (2), the secretary of administration shall transfer that amount from the common school fund to the general fund. The secretary of administration shall ensure that the amount transferred is repaid before the end of the period specified under sub. (4) (a).~~

~~(4) (a) The board shall determine the amount to be repaid from the general fund to the common school fund each year and certify that amount to the secretary of administration. The amount shall be repaid in equal annual instalments over a period of not less than 10 years nor more than 20 years and shall include interest at the rate set under s. 24.63 (3).~~

~~(b) Upon receipt of the amount certified under par. (a), the secretary of administration shall transfer that amount from the general fund to the common school fund.~~

SECTION 161n. 25.16 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

25.16 (2) The executive director may appoint one division administrator and investment directors and shall appoint all other employees necessary to carry out the functions of the investment board, except that the investment board shall participate in the selection of investment directors. The executive director shall appoint all employees outside the classified service, except blue collar and clerical employees. Neither the executive director, any investment director nor any other employee of the board shall have any financial interest, either directly or indirectly, in any firm engaged in the sale or marketing of real estate or investments of any kind, nor shall any of them render investment advice to others for remuneration.

SECTION 161no. 25.17 (1) (ee) of the statutes is created to read:

25.17 (1) (ee) Energy efficiency fund (s. 25.90);

SECTION 161p. 25.17 (3) (b) 1 of the statutes is amended to read:

25.17 (3) (b) 1. Direct obligations maturing within 10 years or less from the date of settlement, of the United States or its agencies, corporations wholly owned by the United States, the international bank for reconstruction and development, the international finance corporation, the inter-American development bank, the African development bank, the Asian development bank, the federal national mortgage association or any corporation chartered by an act of congress.

SECTION 161q. 25.17 (3) (dg) 1 of the statutes is amended to read:

25.17 (3) (dg) 1. Direct obligations of the United States and of agencies of and corporations wholly owned by the United States, and direct obligations of federal land banks, federal home loan banks, central bank for cooperatives and banks for cooperatives, international bank for reconstruction and development, the international finance corporation, inter-American development bank and, African develop-

ment bank and Asian development bank, in each case maturing within one year or less from the date of investment.

SECTION 161r. 25.29 (1) (c) of the statutes is amended to read:

25.29 (1) (c) ~~An~~ For fiscal year 1992-93, and for each fiscal year thereafter, an amount equal to the estimated motorboat gas tax payment multiplied by 1.4. 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 and multiplying that product by the excise tax imposed under s. 78.01 (1) on April 1 of the previous fiscal year.

SECTION 162. 25.38 of the statutes is repealed.

SECTION 165. 25.40 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 (2) (r), 20.285 (1) (x), 20.292 (1) (r), (u) and (v), 20.370 (1) (dr) and (mr), (2) (cq), (3) (ay) and (4) (cs), 20.399 (1) (r), 20.435 (1) ~~(r)~~ (rg) and (rm), 20.455 (2) (q), 20.465 (1) (q) and (3) (q) and (s), 20.485 (2) (sm), 20.566 (1) (u), (2) (q) and (3) (u) and 20.855 (4) (q), (s), (t) and (u) or authorized by s. 25.17, shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 166. 25.40 (2) of the statutes, as affected by 1991 Wisconsin Act 39 and 1991 Wisconsin Act (this act), section 165, is repealed and recreated to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.255 (2) (r) and (u), 20.285 (1) (x), 20.292 (1) (r), (u) and (v), 20.370 (1) (dr) and (mr), (2) (cq) and (3) (ay), 20.399 (1) (r), 20.435 (1) (rg) and (rm), 20.455 ~~(1) (q)~~ and (2) (q), 20.465 (1) (q) and (3) (q) and (s), 20.485 (2) (sm), 20.566 (1) (u), (2) (q) and (3) (u) and 20.855 (4) (q), (s), (t) and (u) or authorized by s. 25.17, shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

~~SECTION 168g. 25.46 (17) of the statutes is amended to read:~~

~~25.46 (17) All moneys received from fees under s. 144.442 (1s) for environmental repair and hazardous waste education.~~

SECTION 168m. 25.46 (19) of the statutes is amended to read:

25.46 (19) The amount distributed under s. 168.12 (1) (c) of the fees imposed under s. 168.12 ~~(1s)~~ (1) for environmental repair.

~~SECTION 168p. 25.465 (9) to (14) of the statutes are created to read:~~

~~25.465 (9) The amounts collected under s. 94.73 (5) (e).~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~(10) The surcharges imposed under s. 94.64 (3) (c) and (4) (a).~~

~~(11) The surcharges imposed under s. 94.685 (3) (c).~~

~~(12) The surcharges imposed under s. 94.703 (3) (c).~~

~~(13) The surcharges imposed under s. 94.704 (3m).~~

~~(14) The surcharges imposed under s. 94.705 (6).~~

SECTION 169g. 25.47 of the statutes is amended 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 amount distributed under s. 168.12 (1) (a) of the fees imposed under s. 168.12 (4m) (1) and the net recoveries under s. 101.143 (5) (c).

SECTION 169i. 25.75 (1) (a) of the statutes is repealed.

SECTION 169m. 25.75 (1) (am) of the statutes is created to read:

25.75 (1) (am) "Commission" means the gaming commission.

SECTION 169s. 25.75 (1) (b) of the statutes is amended to read:

25.75 (1) (b) "Gross lottery revenues" means gross revenues from the sale of lottery tickets and lottery shares under ch. 565 and revenues from the imposition of fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any, paid to retailers under s. 565.10 (14), regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the board commission.

SECTION 173b. 25.75 (2) of the statutes is amended to read:

25.75 (2) CREATION. There is created a separate nonlapsible trust fund known as the lottery fund, to consist of gross lottery revenues received by the board commission.

SECTION 173m. 25.75 (3) (b) 1 of the statutes is amended to read:

25.75 (3) (b) 1. Compensation paid to retailers under s. 565.10 (14) shall be included regardless of whether the compensation is deducted by the retailer prior to transmitting lottery ticket and lottery share revenues to the board commission.

SECTION 174m. 25.75 (3) (b) 4 of the statutes is created to read:

25.75 (3) (b) 4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not be included.

SECTION 177m. 25.90 of the statutes is created to read:

Vetoed
in Part

25.90 Energy efficiency fund. ~~(1)~~ There is established a separate nonlapsible trust fund designated as the energy efficiency fund.

Vetoed
in Part

~~(2) (a) There is established in the energy efficiency fund a construction projects account.~~

Vetoed
in Part
Vetoed
in Part

~~(b) There is established in the energy efficiency fund a conservation projects and monitoring account.~~

SECTION 179g. 26.30 (2) of the statutes is amended to read:

26.30 (2) POWERS. The department is vested with authority and jurisdiction in all matters relating to the prevention, detection and control of forest pests on the forest lands of the state, and to do all things necessary in the exercise of such authority and jurisdiction except that this shall not be construed to grant any powers or authority to the department for the silvicultural control of forest pests on any land. This section shall apply only to the detection and control of forest pests on forest lands and does not affect the authority of the department of agriculture and trade and consumer protection under chs. 93 and 94. The action of the department under sub. (4) shall be coordinated with the department of agriculture and trade and consumer protection in accordance with s. 20.901. The secretaries of natural resources and of agriculture and trade and consumer protection shall execute annually a memorandum of agreement to enable the coordination of pest control work of their departments.

SECTION 179r. 26.30 (5) of the statutes is amended to read:

26.30 (5) COOPERATIVE AGREEMENTS. To carry out the purposes of this section the department may enter into arrangements or agreements with the university of Wisconsin system, the department of agriculture and trade and consumer protection, other departments of this and other states, the U.S. department of agriculture and other federal agencies and with counties, towns, corporations and individuals.

SECTION 180. 27.01 (6) (L) of the statutes is repealed.

SECTION 181. 27.01 (6) (n) of the statutes is created to read:

27.01 (6) (n) The state park in Jefferson county, as "Aztalan State Park";

SECTION 181g. 27.015 (3) of the statutes is amended to read:

27.015 (3) (b) DEPARTMENT OF AGRICULTURE AND TRADE DUTY. The department of agriculture and trade and consumer protection shall stimulate interest and disseminate information along lines of rural planning and shall cooperate with county rural planning committees in carrying out their duties as provided by sub. (7).

SECTION 181r. 27.015 (12) of the statutes is amended to read:

27.015 (12) COOPERATION OF STATE DEPARTMENTS. The department of agriculture and trade and consumer protection, the department of administration, the department of natural resources and the agricultural extension division of the university of Wisconsin shall cooperate with the several county rural planning committees in carrying out this section.

Vetoed
in Part

SECTION 183g. 29.02 (3m) of the statutes is created to read:

29.02 (3m) This section does not permit the seizure by the department, or prohibit the possession or sale, of commercially raised deer, as defined in s. 95.25 (5m), that are kept in compliance with this chapter.

SECTION 183r. 29.02 (4) of the statutes is renumbered 29.05 (6m) and amended to read:

29.05 (6m) (title) ACCESS TO PRIVATE LAND. Agents of the department may, after making reasonable efforts to notify the owner or occupant, enter upon private lands to retrieve, diagnose or otherwise determine if there are dead or diseased wild animals upon ~~such~~ those lands, and take actions reasonably necessary to prevent the spread of contagious disease in ~~such~~ the wild animals.

SECTION 184. 29.05 (1d) of the statutes is created to read:

29.05 (1d) WARRANTS, ARRESTS; FIELD ARCHAEOLOGY. The department and any of its wardens may execute and serve warrants and processes issued for violations of s. 44.47 occurring on the bed of any stream or lake in the same manner as any constable may serve and execute such process; and may arrest a person, with or without a warrant, who is detected committing such a violation, or whom the warden has probable cause to believe is guilty of a violation of s. 44.47, and may take the person before any court in the county where the violation was committed and make proper complaint. For the purpose of enforcing s. 44.47, any warden may stop and board any boat and stop any automobile, snowmobile or other vehicle, if the warden reasonably suspects that there is a violation of s. 44.47.

SECTION 198d. 29.092 (9) (hg) of the statutes is created to read:

29.092 (9) (hg) *Commercial deer farm license.* The fee for a commercial deer farm license is \$200 for the first license and \$100 for each subsequent license.

SECTION 198h. 29.092 (9) (hr) of the statutes is created to read:

29.092 (9) (hr) *Venison retailer permit.* There is no fee for a venison retailer permit.

SECTION 198p. 29.093 (9) (gm) of the statutes is created to read:

29.093 (9) (gm) *Commercial deer farm license.* A commercial deer farm license is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 198t. 29.093 (9) (gr) of the statutes is created to read:

29.093 (9) (gr) *Venison retailer permit.* A venison retailer permit is valid from January 1 or the date of issuance, whichever is later, until December 31.

SECTION 198v. 29.095 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

29.095 (2) A senior citizen recreation card entitles the holder to exercise all of the combined rights and

privileges conferred by a resident small game hunting license, a wild turkey hunting license, a wild turkey hunting stamp and a 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 (7) without having an admission sticker affixed to it and without paying a fee. The card permits a card holder to enter Heritage Hill state park or a state trail without paying an admission fee.

SECTION 201m. 29.103 (2) (c) of the statutes is created to read:

29.103 (2) (c) *Exception.* Any person holding a senior citizen recreation card or a conservation patron license is exempt from the requirements under par. (b) if the person has received a notice of approval under sub. (4) (e) and the person is exempt from paying the fee for the wild turkey hunting license.

SECTION 224m. 29.145 (1) (b) (title) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

29.145 (1) (b) (title) *Exception; residents under 16 years of age, certain senior citizens and certain physically and mentally handicapped persons.*

SECTION 224n. 29.145 (1) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 29.145 (1) (b) 1.

SECTION 224p. 29.145 (1) (b) 2 of the statutes is created to read:

29.145 (1) (b) 2. Notwithstanding s. 29.092 (3v), no fishing license is required for any resident born before January 1, 1927, to fish for fish subject to all other provisions of law.

SECTION 228m. 29.1475 (2) of the statutes is amended to read:

29.1475 (2) AUTHORIZATION; HUNTING, FISHING AND TRAPPING PRIVILEGES. A conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, resident deer hunting license, wild turkey hunting license, resident bear hunting license, resident archer hunting license, a waterfowl hunting stamp, a wild turkey hunting stamp, resident annual fishing license, sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping license.

SECTION 229d. 29.148 (1) of the statutes is renumbered 29.148 (1m).

SECTION 229g. 29.148 (1) of the statutes is created to read:

29.148 (1) In this section, "validated" means marked with specified information in the manner required by the department.

SECTION 229h. 29.148 (2) of the statutes is amended to read:

29.148 (2) ~~Such~~ The sturgeon spearing license shall be accompanied by sturgeon carcass tags in ~~such~~ the

quantity to correspond with the season bag limit for spearing rock or lake sturgeon established by the department. The serial numbers of ~~such~~ these tags shall be entered on the license by the issuing agent.

SECTION 229j. 29.148 (4) of the statutes is amended to read:

29.148 (4) Any person having taken a rock or lake sturgeon by means of a spear shall immediately attach ~~and lock, and leave attached and locked to the tail of such sturgeon,~~ a current, validated sturgeon carcass tag issued to him with his sturgeon spearing license and it is unlawful for any person to have in his possession or under his control or have in storage or as a common carrier any such sturgeon or part thereof without such tag attached and locked thereto that person to the tail of the sturgeon. No person may possess, control, store or transport a rock or lake sturgeon carcass unless it is tagged as required under this section.

SECTION 241b. 29.40 (6) of the statutes is created to read:

29.40 (6) **COMMERCIALLY RAISED DEER.** This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241c. 29.42 (4) of the statutes is created to read:

29.42 (4) **COMMERCIALLY RAISED DEER.** This section does not permit the seizure by the department, or prohibit the possession or sale, of commercially raised deer, as defined in s. 95.25 (5m), that are kept in compliance with this chapter.

SECTION 241d. 29.425 (4m) of the statutes is created to read:

29.425 (4m) **APPLICABILITY.** This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241e. 29.427 (6) of the statutes is amended to read:

29.427 (6) **DESTRUCTION.** A person may kill at any time a wild skunk which is a nuisance to activities authorized under s. 29.55, 29.572, 29.574, 29.575, 29.578, 29.58 or 29.585. A person who kills an adult wild skunk with young shall attempt to kill the young skunks.

SECTION 241f. 29.43 (5) (title) of the statutes is amended to read:

29.43 (5) (title) **EXEMPTIONS.**

SECTION 241g. 29.43 (5) of the statutes is renumbered 29.43 (5) (a).

SECTION 241h. 29.43 (5) (b) of the statutes is created to read:

29.43 (5) (b) Subsections (1) to (4) do not apply to the possession, transportation, delivery or receipt of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241j. 29.44 (3) of the statutes is created to read:

29.44 (3) Subsection (1) does not apply to the possession, transportation, delivery or receipt of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241k. 29.45 (6) of the statutes is created to read:

29.45 (6) This section does not apply to the transportation of commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241L. 29.48 (1m) of the statutes is created to read:

29.48 (1m) Subsection (1) does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241m. 29.49 (1) (a) (intro.) of the statutes is amended to read:

29.49 (1) (a) (intro.) Except as provided by ~~s. in ss. 29.52 and 29.581,~~ no innkeeper, manager or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or given to the guests or boarders thereof:

SECTION 241n. 29.574 (1m) of the statutes is created to read:

29.574 (1m) This section does not apply to commercially raised deer, as defined in s. 95.25 (5m).

SECTION 241p. 29.578 (1m) of the statutes is created to read:

29.578 (1m) This section does not apply to commercially raised deer, as defined in s. 95.25 (5m), or to commercial deer farms licensed under s. 29.58.

SECTION 241q. 29.578 (14) (am) of the statutes is amended to read:

29.578 (14) (am) ~~Special~~ The department may issue special retail deer sale permits authorizing a person to retail a venison in the carcass from a deer lawfully killed and sold in the carcass under this section to any retailer of meats may be issued by the department.

SECTION 241r. 29.58 of the statutes is created to read:

29.58 Commercial deer farms. (1) **DEFINITION.** In this section, "commercially raised deer" has the meaning given in s. 95.25 (5m).

(2) **LICENSE REQUIRED.** (a) Except as provided in par. (b), no person may possess live commercially raised deer unless the person is issued a commercial deer farm license under this section.

(b) Establishments licensed under s. 97.42 may keep live commercially raised deer for slaughtering purposes for up to 72 hours without holding a commercial deer farm license.

(3) **APPLICATION PROCESS.** (a) A person applying for a commercial deer farm license shall submit an application containing all of the following:

1. A description of the land to be enclosed in the commercial deer farm.

2. The number of acres to be enclosed in the commercial deer farm.

3. The legal interest that the applicant holds in the land.

(b) The department shall issue a commercial deer farm license to an applicant under par. (a) after all of the following occur:

1. The department verifies the facts required in the application under par. (a). The applicant shall provide proof of these facts upon request of the department.

2. The department establishes the acreage and boundaries of the commercial deer farm.

3. The applicant builds a fence that completely encloses the commercial deer farm and that complies with the specifications under sub. (4).

4. All white-tailed deer within the boundaries of the commercial deer farm are driven so that they are outside the boundaries of the commercial deer farm.

(4) FENCING. (a) The department shall promulgate by rule specifications for fencing of commercial deer farms.

(b) The specifications that the department applies to deer fences under s. 29.578 on the effective date of this paragraph [revisor inserts date], shall apply to commercial deer farms until the rules are promulgated under par. (a).

(5) LICENSE RENEWAL AND REVOCATION. If a person holding a commercial deer farm license does not comply with the requirements of this section or the rules promulgated under this section, the department either shall revoke the license or shall refuse to renew the license when it expires.

(6) RECORDS. (a) Each person holding a commercial deer farm license must keep a complete, legible and accurate record of all commercially raised deer that are on the commercial deer farm.

(b) The records required under par. (a) shall include all of the following:

1. The complete name, address and commercial deer farm license number.

2. The complete name and address of the person to whom a commercially raised deer is sold or transferred or from whom a commercially raised deer is purchased or obtained.

3. For each transaction under subd. 2, the species and number of commercially raised deer and the date of each transaction.

4. The signature of the person making an entry in the record.

(c) Within 30 days after the end of each calendar quarter, each person holding a commercial deer farm license shall deliver the records under this subsection for the preceding calendar quarter to the department. If the records are mailed to the department, the date of the postmark constitutes the date of delivery.

(6m) INSPECTIONS. (a) For purposes of enforcing this section, the department may inspect any of the following:

1. Deer located on a commercial deer farm.

2. The records required under sub. (6).

3. Vehicles, equipment and other materials or activities related to the commercial deer farm.

4. Buildings and structures related to the commercial deer farm.

(b) In order to carry out inspections under par. (a), a warden or representative of the department, upon presentation of his or her credentials to a person holding a commercial deer farm license, may enter a vehicle, building or structure during the time when the license holder is conducting business.

(c) No person holding a commercial deer farm license or operator of a vehicle for such a person, or employe or person acting on behalf of such a person, may prohibit entry or prohibit an inspection from being conducted as authorized under this subsection unless a court restrains or enjoins the entry or inspection.

SECTION 241s. 29.581 of the statutes is created to read:

29.581 Venison retailer permits. (1) PERMIT REQUIRED. (a) No person may sell to consumers venison that is a product of a commercial deer farm licensed under s. 29.58 unless the person is issued a venison retailer permit under this section.

(b) No person may purchase, possess or transport venison that is a product of a commercial deer farm licensed under s. 29.58 for the purpose of selling the venison to consumers unless the person is issued a venison retailer permit under this section.

(c) The department shall issue a venison retailer permit to any person 18 years of age or older who applies for this permit.

(2) AUTHORIZATION. A person holding a venison retailer permit issued under this section may purchase venison that is a product of a commercial deer farm licensed under s. 29.58 only from an establishment licensed under s. 97.42 or from a meat broker registered under rules promulgated under s. 97.42 and may possess, transport and sell to consumers only such venison.

(3) INSPECTIONS. (a) For purposes of enforcing this section and only after having obtained an inspection warrant under s. 66.122, the department may inspect venison, deer and any of the following:

1. Records, vehicles, equipment and other materials or activities related to the possession, purchase, sale or transportation of the venison.

2. Buildings and structures related to the possession, purchase, sale or transportation of the venison.

(b) In order to carry out inspections under par. (a), a warden or representative of the department, upon presentation of his or her credentials and the inspection warrant issued under s. 66.122 to a holder of a venison retailer permit, may enter a vehicle, building or structure during the time when the permit holder is conducting business.

(c) In cases of emergency, no special warrant is required.

(cm) Notwithstanding s. 66.122 (2), refusal of the holder of a venison retailer permit to give consent for an inspection is not necessary for an inspection warrant to be issued for purposes of this subsection.

(d) No person holding a venison retailer permit or operator of a vehicle for such a person, or employe or person acting on behalf of such a person, may prohibit entry or prohibit an inspection from being conducted as authorized under this subsection unless a court restrains or enjoins the entry or inspection.

SECTION 241t. 29.583 of the statutes is created to read:

29.583 Disposal of escaped deer. (1) The department may seize and dispose of or may authorize the disposal of any deer that has escaped from land licensed under s. 29.574, 29.578 or 29.58 if the licensee has not had the deer returned to the land within 72 hours of the discovery of the escape.

(2) Notwithstanding the 72-hour waiting period in sub. (1), the department may dispose of the deer immediately if the deer poses a risk to public safety or to the health of other domestic or wild animals.

SECTION 241v. 29.585 (5) of the statutes is amended to read:

29.585 (5) No person may keep any live wild animal in captivity for the purpose of exhibition or for advertising purposes or have any wild animal in his or her custody or under his or her control for such purpose, unless a wildlife exhibit license is issued to the person by the department. A wildlife exhibit license is required in addition to any game bird and animal farm, ~~deer farm~~ or fur farm license or deer farm license under s. 29.578 that is required for the possession, breeding, propagating or dealing of these wild animals if these farms are wildlife exhibits as defined under sub. (1).

SECTION 241w. 29.99 (15) of the statutes is amended to read:

29.99 (15) In any prosecution under this section it is not necessary for the state to allege or prove that the animals were not commercially raised deer or domesticated or animals; that they were not taken for scientific purposes, or that they were taken or in possession or under control without a required approval; but the ~~The person claiming that these animals were commercially raised deer or domesticated, or animals, that they were taken for scientific purposes, or that they were taken or in possession or under control under the required approval, has the burden of proving this fact or these facts. In this subsection, "commercially raised deer" has the meaning given in s. 95.25 (5m).~~

SECTION 241x. 30.1255 of the statutes is created to read:

30.1255 Control of aquatic nuisance species. (1) DEFINITIONS. In this section:

(a) "Aquatic nuisance species" means a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested

waters or that threatens a commercial, agricultural, aquacultural or recreational activity dependent on infested waters.

(b) "Council" means the aquatic nuisance control council.

(2) AQUATIC NUISANCE CONTROL COUNCIL. The council may make recommendations to the legislature, the governor and the department on any matter relating to the control of aquatic nuisance species.

(3) BIENNIAL REPORTS. (a) After consulting with the council, the department shall submit periodically to the legislature reports describing all of the following:

1. The current and potential economic and environmental impact of aquatic nuisance species on the waters of the state.

2. Potential strategies to control aquatic nuisance species.

3. Any geographical areas, public facilities or activities conducted in this state that need technical or financial assistance to reduce the environmental, public health or safety risk that may be caused by aquatic nuisance species.

(b) The department shall submit the first report ~~within the 12-month period beginning on the effective date of this paragraph. [reviser inserts date]. The department shall submit the next report before July 1, 1994, and shall submit subsequent reports before July 1 of each even-numbered year thereafter.~~

Vetoed in Part

(c) The first report shall be limited to the aquatic nuisance species known as the zebra mussel.

~~(4) RULES REQUIRED. (a) After consulting with the council, the department shall promulgate rules regulating the possession, transportation and introduction of aquatic nuisance species.~~

Vetoed in Part

~~(c) After consulting with the council, the department shall promulgate rules regulating the methods to be used to control aquatic nuisance species in this state.~~

SECTION 241z. 30.277 of the statutes is created to read:

30.277 Urban rivers grant program. (1) FUNDING.

~~(a) Beginning in fiscal year 1992-93 and ending in fiscal year 1999-2000, from the appropriation under s. 20.866 (2) (tz), the department shall award grants to municipalities to assist municipalities in developing projects on or adjacent to rivers that flow through urban areas.~~

Vetoed in Part

~~(b) Except as provided in s. 23.0915 (2) and (2g), the department may not expend more than \$1,900,000 from the appropriation under s. 20.866 (2) (tz) for urban river grants in each fiscal year.~~

Vetoed in Part

Vetoed in Part

(2) PURPOSES OF GRANTS. (a) Grants awarded under this section shall be used for projects that emphasize the preservation or restoration of urban rivers or riverfronts for the purposes of economic revitalization and encouraging outdoor recreation activities that involve the enjoyment of the state's natural

resources. These outdoor recreation activities include, but are not limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling.

**Vetoed
in Part**

(b) A grant awarded to a municipality under this section may be used to acquire land or to develop land that is owned by the municipality. For purposes of this paragraph, "land" includes rights in land.

(3) CRITERIA FOR GRANTS. The department shall consider all of the following criteria in awarding grants for projects under this section:

(a) The extent to which diverse outdoor recreation opportunities will be made available to all segments of the population.

(b) The extent of preservation or restoration, under the project, of an urban riverfront.

(c) The aesthetic value of the project.

(d) The project's potential for increasing tourism.

(e) Whether significant planning has occurred in the municipality prior to its request for a grant under this section.

(f) The level of support for the project demonstrated by the municipality, including financial support.

(g) Whether the project involves a joint effort by 2 or more municipalities.

(h) The potential benefits of the project to the overall economy of the municipality.

(i) The extent to which the project preserves or highlights an area with significant historical or cultural value.

(j) The extent to which access by the public to the riverfront will be improved.

(4) CAP ON GRANTS. No municipality may receive in any fiscal year more than 20% of the funds that are available for grants under this section.

(5) CONTRIBUTION BY MUNICIPALITY. To be eligible for a grant under this section, at least 50% of the cost of the project shall be funded by private, local or federal funding, by in-kind contributions or by state funding. For purposes of this subsection, state funding may not include grants under this section, moneys appropriated to the department under s. 20.370 or money appropriated under s. 20.866 (2) (tp) to (tw), (ty) or (tz).

(6) RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant.

**Vetoed
in Part**

~~SECTION 243c. 30.46 (1) (a) of the statutes is amended to read:~~

~~30.46 (1) (a) The development and use comply with the rules for the soil and water resource management program promulgated by the department of agriculture, and trade and consumer protection under s. 92.14, and~~

~~SECTION 243m. 30.46 (2) of the statutes is amended to read:~~

~~30.46 (2) Notwithstanding sub. (1) (b), a person is not required to comply with rules for the soil and water resource management program promulgated under s. 92.14 by the department of agriculture, and trade and consumer protection for land in the riverway and that is in agricultural use on August 2, 1989.~~

**Vetoed
in Part**

SECTION 244. 30.531 (1) (intro.) of the statutes is amended to read:

30.531 (1) CERTIFICATE. (intro.) The owner of a boat subject to registration or certificate of number requirements in this state, whether or not the boat is operated on the waters of this state, shall make application for certificate of title for the boat under the following circumstances:

SECTION 245. 30.531 (3) (a) of the statutes is amended to read:

30.531 (3) (a) *Boats exempt from registration requirements.* A boat is exempt from both the certificate of origin and certificate of title requirements of this chapter if it is exempt under s. 30.51 (2) (a) from the certificate of number or registration requirements or exempt under s. 30.51 (2) (b) from the certificate of number requirements of this chapter.

~~SECTION 247a. 30.537 (4) (d) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 247m. 30.537 (4) (e) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 247e. 30.537 (4) (f) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

**Vetoed
in Part**

SECTION 251. 30.541 (3) (d) of the statutes is created to read:

30.541 (3) (d) 1. In all cases of the transfer of a boat owned by a decedent, except under subd. 2, ward, trustee or bankrupt, if the department receives all of the following the department shall accept the following as sufficient evidence of the transfer of ownership:

a. Evidence satisfactory to the department of the issuance of the letters of administration, letters testamentary, letters of guardianship, letters of trust or appointment of a trustee in bankruptcy.

b. Title executed by the administrator, executor, guardian or trustee.

c. Evidence concerning payment of sales or use taxes required under s. 77.61 (1) or evidence that the transfer is exempt from sales or use taxes.

2. a. The department shall transfer the decedent's interest in a boat to his or her surviving spouse upon receipt of the title executed by the surviving spouse and an affidavit signed by the spouse that includes the date of death of the decedent; the approximate value and description of the boat; and a statement that the spouse is personally liable for the decedent's debts and charges to the extent of the value of the boat, subject to s. 859.25.

b. The transfer shall not affect any lien on the boat.

c. Except as provided in subd. 2. d., no more than 5 boats may be transferred under this subdivision.

d. The limit in subd. 2. c. does not apply if the surviving spouse proceeds under s. 867.03 (1) and the total value of the decedent's solely owned property in the state, including boats transferred under this subdivision, does not exceed \$10,000.

3. Upon compliance with this paragraph, neither the secretary nor the department shall bear any liability or responsibility for the transfer of a boat in accordance with this paragraph.

Vetoed
in Part

~~SECTION 251m. 30.57 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 256d. 30.571 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 256h. 30.572 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 256p. 30.573 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 256t. 30.574 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 257g. 30.575 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 257r. 30.576 of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 258m. 30.577 (2) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

SECTION 259. 30.578 of the statutes is created to read:

30.578 Grounds for refusing issuance of certificate of title. The department shall refuse issuance of a certificate of title if any required fee is not paid or if it has reasonable grounds to believe that any of the following exists:

- (1) The person alleged to be the owner of the boat is not the owner.
- (2) The application contains a false or fraudulent statement.
- (3) The applicant fails to furnish information or documents required by the department.

SECTION 261m. 30.92 (1) (b) of the statutes is amended to read:

30.92 (1) (b) "Governmental unit" means the department, a municipality, a town sanitary district, a public inland lake protection and rehabilitation district organized under ch. 33, the Milwaukee river revitalization council, the lower Wisconsin state riverway board or, the Fox river management commission or any other local governmental unit, as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.

SECTION 261p. 30.92 (4) (b) 6m of the statutes is created to read:

30.92 (4) (b) 6m. Notwithstanding subd. 6, the department, with the approval of the commission, may reallocate for expenditure for recreational boating aids without complying with the percentages

under subd. 6 any state funds that are not encumbered for expenditure for a fiscal year before the first day of the 4th quarter of that fiscal year.

SECTION 261s. 30.92 (4) (b) 8. (intro.), a. and b. of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

30.92 (4) (b) 8. (intro.) In addition to those projects specified under subd. 7, the following projects qualify for funds available for recreational boating aids under this section ~~if they are projects for inland waters:~~

a. A project for the dredging of a channel in a waterway to the degree that is necessary to accommodate recreational watercraft if the project is for an inland water.

b. Acquisition of capital equipment that is necessary to cut and remove aquatic plants that are aquatic nuisances or that are detrimental to fish habitat if the acquisition is pursuant to a plan to cut and remove aquatic plants that is approved by the department and if the capital equipment will be used solely on inland waters.

SECTION 262. 30.94 (4) (d) of the statutes is created to read:

30.94 (4) (d) The department may require the commission to maintain the sea lamprey barrier at the Rapide Croche lock according to specifications of the department to prevent sea lampreys or other nonnative species from moving upstream. The Rapide Croche lock may not be opened without prior approval from the department.

~~SECTION 263am. 32.035 (1) (a) of the statutes is amended to read:~~

~~32.035 (1) (a) "Department" means the department of agriculture and trade and consumer protection.~~

Vetoed
in Part

SECTION 263g. 32.08 (6) (a) of the statutes is amended to read:

32.08 (6) (a) At the hearing the commissioners shall first view the property sought to be condemned and then hear all evidence desired to be produced. The condemnee shall present his or her testimony first and have the right to close. ~~In~~ Except as provided in s. 901.05, in conducting said the hearing the commission shall not be bound by common law or statutory rules of evidence. ~~It~~ The commission shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant and unduly repetitious testimony. The amount of a prior jurisdictional offer or award shall not be disclosed to the commission. ~~It~~ The commission shall give effect to the rules of privilege recognized by law. Basic principles of relevancy, materiality and probative force, as recognized in equitable proceedings, shall govern the proof of all questions of fact. The commission may on its own motion adjourn such the hearing once for not more than 7 days, but may by stipulation of all parties grant other adjournments. A majority of the commissioners, being present, may determine all matters.

SECTION 263u. 32.25 (1) of the statutes is amended to read:

32.25 (1) ~~Notwithstanding any other provision of law, except~~ Except as provided under sub. (3) and s. 85.09 (4m), no condemnor may proceed with any activity ~~which that~~ that may involve the displacement of persons, business concerns or farm operations until the condemnor has filed in writing a relocation payment plan and relocation assistance service plan and has had both plans approved in writing by the department of industry, labor and human relations.

SECTION 263w. 32.25 (3) of the statutes is created to read:

32.25 (3) (a) Subsection (1) does not apply to any of the following activities engaged in by a condemnor:

1. Obtaining an appraisal of property.
2. Obtaining an option to purchase property, regardless of whether the option specifies the purchase price, if the property is not part of a program or project receiving federal financial assistance.

Vetoed in Part (b) If a condemnor obtains an option to purchase under par. (a) 2, the condemnor shall file the plans under sub. (1) within 60 days after obtaining the option and may not exercise the option or otherwise acquire the property until at least 30 days after the department of industry, labor and human relations has approved the plans.

SECTION 263xg. 36.11 (25) of the statutes is created to read:

Vetoed in Part 36.11 (25) BUILDING PROGRAM PLANNING AND APPROVAL. The board shall promulgate rules which establish a biennial process for the systematic development by the system of all building program requests for submission to the building commission. Under the procedures, no building program request for which approval of the legislature is required under s. 26.924 (1) may be submitted to the building commission or the legislature prior to review and approval of the request by the board. No building project for the system may be submitted by the board to the building commission under s. 13.48 (4) unless the project is developed and approved by the board in conformity with this subsection and rules promulgated under this subsection.

Vetoed in Part SECTION 263xm. 36.25 (7) of the statutes is amended to read:

36.25 (7) SOIL AND WATER CONSERVATION. The board is responsible for research and educational programs regarding soil and water conservation. The board shall cooperate with the land conservation board, the department of agriculture, and trade and consumer protection and the counties in carrying out its soil and water conservation programs. The board shall prepare annually a written program of planned educational activities in soil and water conservation.

SECTION 263y. 36.25 (11) (c) of the statutes is amended to read:

36.25 (11) (c) The laboratory shall provide analytical support to the appropriate state agencies charged

~~with water supply evaluation. The support service shall include an evaluation from a public health standpoint and analytical support to ascertain the water's suitability for manufacturing, commercial and recreational purposes as determined by the rules promulgated by the department of health and social services, the department of natural resources and the department of agriculture, and trade and consumer protection.~~

Vetoed in Part

SECTION 264. 36.25 (11) (f) of the statutes is amended to read:

36.25 (11) (f) The laboratory of hygiene board may impose a fee for each test conducted by the laboratory. Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission or is required under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The laboratory may charge state agencies through contractual arrangements for the actual services rendered.

~~SECTION 264c. 36.25 (30g) of the statutes is created to read:~~

Vetoed in Part

~~36.25 (30g) SMALL BUSINESS HAZARDOUS WASTE INFORMATION. The board shall establish in the extension, in cooperation with the department of development, the department of industry, labor and human relations, the department of natural resources and the board of vocational, technical and adult education, a program to provide information and education to small businesses regarding the management of hazardous waste. The program shall include all of the following:~~

~~(a) Information and education regarding state hazardous waste rules and federal hazardous waste regulations and requirements for achieving compliance with the rules and regulations.~~

~~(b) Information and education for small businesses in the proper methods of reducing, storing, handling, treating, reusing, recycling and disposing of hazardous waste.~~

~~(c) Information and education on the advantages of proper management of hazardous waste relative to the costs of inefficient hazardous waste management and the risks of improper hazardous waste management for small businesses.~~

SECTION 264d. 36.25 (32) of the statutes, as affected by 1991 Wisconsin Act 32, is repealed.

~~SECTION 264h. 36.25 (34) of the statutes is created to read:~~

Vetoed in Part

~~36.25 (34) AMERICAN INDIAN HEALTH PLAN. In cooperation with the medical college of Wisconsin, inc. and the state board of vocational, technical and adult education, the board shall assist the council on American Indian health in developing and updating those elements of the state American Indian health plan under s. 46.32 (2) (a) that relate to the recruitment and training of health care providers and to research regarding health issues of American Indians.~~

Vetoed in Part SECTION 264s. 38.04 (24) of the statutes is created to read:

38.04 (24) AMERICAN INDIAN HEALTH PLAN. In cooperation with the medical college of Wisconsin, inc., and the board of regents of the university of Wisconsin system, the board shall assist the council on American Indian health in developing and updating those elements of the state American Indian health plan under s. 46.32 (2) (a) that relate to the recruitment and training of health care providers.

SECTION 264y. 39.11 (20) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

39.11 (20) Provide leadership in securing appropriate funding for regional educational telecommunications networks maintained by schools and other educational institutions, coordinate the development of the networks and establish technical standards for the networks and their interconnections.

SECTION 265. 39.12 (2m) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

39.12 (2m) The corporation under sub. (1) shall donate any real ~~or tangible personal~~ property to the state within 5 years after acquiring the property unless holding the property for more than 5 years is consistent with sound business and financial practices and is approved by the joint committee on finance.

Vetoed in Part SECTION 265m. 39.145 (2) of the statutes is amended to read:

39.145 (2) (a) The executive director shall give first preference in funding projects under ~~the section sub. (3) (a)~~ to an applicant that complies with the sites designated in the educational communications board's plan for the instructional television fixed service system and provides the required one-third matching fund contribution from its own budget.

(b) The executive director shall give 2nd preference in funding projects under ~~this section sub. (3) (a)~~ to an applicant that complies with the sites designated in the educational communication board's plan for the instructional television fixed service system and provides the required one-third matching fund contribution from any federal grant.

(c) The executive director shall give 3rd preference in funding projects under ~~this section sub. (3) (a)~~ to an applicant that includes a rural school district, has the approval of the educational communications board for the project notwithstanding the applicant's non-compliance with the sites designated in the board's plan for the instructional television fixed service system, and provides the required one-third matching fund contribution from its own budget.

(d) The executive director shall give 4th preference in funding projects under ~~this section sub. (3) (a)~~ to an applicant that includes a rural school district, has the approval of the educational communications board for the project notwithstanding the applicant's non-compliance with the sites designated in the board's

Vetoed in Part plan for the instructional television fixed service system, and provides the required one-third matching fund contribution from any federal grant.

SECTION 265r. 39.145 (4m) of the statutes is created to read:

39.145 (4m) (a) Projects for the purchase and installation of communications tower equipment may be funded from the appropriation under s. 20.225 (1) (em).

(b) No project under this subsection may be funded unless there is a matching fund contribution from the applicant of at least one-third of the cost of the project. Private funds and in-kind contributions may be used to meet the matching fund requirement.

(c) By August 1, 1993, the applicant for any project funded from the appropriation under s. 20.225 (1) (em) shall submit a report to the executive director evaluating the effectiveness of the funded project. The report shall include an accounting of all expenditures made on behalf of the project.

(d) The requirements of subs. (2) to (4) do not apply to projects under this subsection.

SECTION 266. 39.155 (2) of the statutes is amended to read:

39.155 (2) On or before January 15 and September 15 of each year, the medical college of Wisconsin, inc., shall submit to the higher educational aids board for its approval a list of the Wisconsin residents enrolled at the college who are paying full tuition. The state shall make semiannual payments to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a) is insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the payments shall be disbursed on a prorated basis for each student entitled to such aid. No more than 8 such payments may be made to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1) (a), for any individual student.

SECTION 267. 39.155 (3) of the statutes is amended to read:

39.155 (3) The medical college of Wisconsin, inc., may not assess tuition for a Wisconsin resident enrolled at the college in an amount that exceeds the difference between the tuition assessed a nonresident student enrolled at the college and the amount ~~specified to be disbursed under s. 20.250 (1) (a)~~ for each Wisconsin resident enrolled at the college. This subsection applies to students enrolled in the class entering the college in the 1986-87 academic year and thereafter.

SECTION 268. 39.374 (2) of the statutes is amended to read:

39.374 (2) There is created a separate nonlapsible trust fund designated the Wisconsin health education loan repayment fund consisting of all revenues received in repayment of loans funded under this sec-

tion or loans financed from moneys made available under chapter 20, laws of 1981, section 2022 (1). The board may pledge revenues received or to be received by the fund to secure revenue obligations issued under this section, and shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

Vetoed
in Part

~~SECTION 268e. 39.41 (1) (a) of the statutes is renumbered 39.41 (1) (ar).~~

~~SECTION 268f. 39.41 (1) (ac) and (aj) of the statutes are created to read:~~

~~39.41 (1) (ac) "Alternate" means a senior who is eligible for a scholarship under this section if a designated scholar does not qualify for such scholarship.~~

~~(aj) "Designated scholar" means a senior designated by the school board of a school district operating one or more high schools or the governing body of a private high school or the state superintendent as eligible for a scholarship under this section.~~

~~SECTION 268gc. 39.41 (1m) (a) 1 to 5 of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:~~

~~39.41 (1m) (a) 1. For each high school with an enrollment of at least 80 pupils but less than 500 pupils, designate the senior with the highest grade point average in all subjects as a scholar and the senior with the 2nd highest grade point average in all subjects as an alternate for the scholar.~~

~~2. For each high school with an enrollment of at least 500 pupils but less than 1,000 pupils, designate the 2 seniors with the 2 highest grade point averages in all subjects as scholars and the 2 seniors with the 3rd and 4th highest grade point averages in all subjects as alternates for the scholars.~~

~~3. For each high school with an enrollment of at least 1,000 pupils but less than 1,500 pupils, designate the 3 seniors with the 3 highest grade point averages in all subjects as scholars and the 3 seniors with the 4th to the 6th highest grade point averages in all subjects as alternates for the scholars.~~

~~4. For each high school with an enrollment of at least 1,500 pupils but less than 2,000 pupils, designate the 4 seniors with the 4 highest grade point averages in all subjects as scholars and the 4 seniors with the 5th to the 8th highest grade point averages in all subjects as alternates for the scholars.~~

~~5. For each high school with an enrollment of 2,000 or more pupils, designate the 5 seniors with the 5 highest grade point averages in all subjects as scholars and the 5 seniors with the 6th to the 10th highest grade point averages in all subjects as alternates for the scholars.~~

~~SECTION 268gp. 39.41 (1m) (c) 1, 2 and 4 of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:~~

~~39.41 (1m) (c) 1. For the Wisconsin school for the visually handicapped, designate the senior with the~~

~~highest grade point average in all subjects as a scholar and the senior with the 2nd highest grade point average in all subjects as the alternate for the scholar.~~

Vetoed
in Part

~~2. For the Wisconsin school for the deaf, designate the senior with the highest grade point average in all subjects as a scholar and the senior with the 2nd highest grade point average in all subjects as the alternate for the scholar.~~

~~4. For each public or private high school with an enrollment of at least 80 pupils, notify the school board of the school district operating the public high school or the governing body of the private high school of the number of scholars and alternates to be designated under par. (a).~~

~~SECTION 268hk. 39.41 (1m) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~39.41 (1m) (d). If 2 or more seniors from the same high school of at least 80 pupils have the same grade point average, the school board of the school district operating the high school or the governing body of the private high school shall make the designation under par. (a) of the senior who may be eligible for a higher education scholarship as a scholar or an alternate.~~

~~SECTION 268hr. 39.41 (1m) (f) of the statutes is created to read:~~

~~39.41 (1m) (f) If 2 or more seniors from the Wisconsin school for the deaf or from the Wisconsin school for the visually handicapped have the same grade point average, the state superintendent shall make the designation under par. (c) 1 or 2 of the senior who shall be designated as a scholar or an alternate by the state superintendent.~~

~~SECTION 268ht. 39.41 (1m) (g) of the statutes is created to read:~~

~~39.41 (1m) (g) Notwithstanding par. (a), if a high school of at least 80 pupils closes or merges in the 1991-92 school year or in any school year thereafter, the school board of the school district operating the high school or the governing body of the private high school shall, for each of the 2 school years following the closure or merger, designate the same number of both scholars and alternates from among the pupils enrolled in the high school at the time of closure or merger as the number of scholars designated for that high school in the school year the high school closed or merged. Any seniors designated under this paragraph shall, subject to sub. (4) (c), be eligible for an original scholarship under this section.~~

~~SECTION 268j. 39.41 (2) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~39.41 (2) (a) If a designated scholar or alternate under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after January 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was~~

Vetoed
in Part

Vetoed in Part designated a scholar ~~or an alternate~~, in a center or institution within the university of Wisconsin system or in a vocational, technical and adult education district school that is participating in the program under this section, the scholar ~~or alternate~~ shall receive a higher education scholarship that exempts the scholar ~~or alternate~~ from all tuition and fees, including segregated fees, at the center, institution or district school for one year, subject to the availability of funds.

Vetoed in Part SECTION 268jm. 39.41 (2) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (2) (b) For each year that a scholar or an alternate who receives a scholarship under par. (a) is enrolled full time, maintains at least a 3.0 grade point average, or the equivalent as determined by the center, institution or district school, and makes satisfactory progress toward an associate or a bachelor's degree, the student shall be exempt from all tuition and fees, including segregated fees, in the subsequent year, subject to the availability of funds. No scholar or alternate is eligible for an exemption for more than 4 years at a center or institution or more than 3 years at a district school.

SECTION 268k. 39.41 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

Vetoed in Part 39.41 (3) (a) If a designated scholar ~~or alternate~~ under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after January 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was

Vetoed in Part designated a scholar ~~or an alternate~~, in a private institution of higher education that is located in this state and participating in the program under this section, the board shall pay the institution, on behalf of the pupil, an amount equal to 50% of the tuition and fees charged a resident undergraduate at the university of Wisconsin-Madison in the same academic year.

Vetoed in Part (b) For each year that a scholar or an alternate who receives a scholarship under par. (a) is enrolled full time, maintains at least a 3.0 grade point average, or the equivalent as determined by the private institution, and makes satisfactory progress toward a bachelor's degree, the student is eligible for a higher education scholarship as determined under par. (a). No scholar or alternate is eligible for a higher education scholarship for more than 4 years at a private institution of higher education.

SECTION 268m. 39.41 (3m) of the statutes is created to read:

39.41 (3m) (a) If a designated scholar does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), a designated alternate for the scholar is eligible to receive the scholarship upon the same terms and conditions specified for a designated scholar. If no designated alternate is eligible to receive

the scholarship, the scholarship shall be awarded to an alternate who is the senior from the same school with the next highest grade point average in all subjects upon the same terms and conditions specified for a designated scholar.

(b) The school board of a school district operating a high school or the governing body of a private high school for which no designated scholar or alternate is eligible to receive the higher education scholarship under sub. (2) (a) or (3) (a) shall certify to the board one or more alternates from the same high school with the next highest grade point averages until the scholarship shall be awarded to an alternate.

(c) If no designated scholar or alternate for the Wisconsin school for the deaf or for the Wisconsin school for the visually handicapped is eligible to receive the higher education scholarship under sub. (2) (a) or (3) (a), the state superintendent shall certify to the board one or more alternates from the same school with the next highest grade point averages until the scholarship shall be awarded to an alternate.

(d) Paragraphs (a) and (b) do not apply to any public or private high school with an enrollment of less than 80 pupils.

SECTION 268r. 39.41 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) only if the center, institution, district school or private institution matches the amount of the payment from institutional funds, gifts or grants. Beginning in the 1992-93 school year, the matching requirement under this paragraph for the centers and institutions within the university of Wisconsin system shall be satisfied by payments of an amount equal to the total payments from the centers and institutions made under this paragraph in the 1991-92 school year and, if such payments are insufficient to satisfy the matching requirement, by the waiver of academic fees established under s. 36.27.

SECTION 269c. 39.41 (5) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (5) (b) Each designated scholar or alternate who is eligible for a higher education scholarship under sub. (2) (a) or (3) (a) shall notify the board as soon as practicable of the institution of higher education he or she will be attending in the next academic year.

SECTION 269e. 39.41 (5) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

39.41 (5) (c) Annually, the board shall notify each scholar or alternate who will be attending a participating institution of higher education in the next academic year of the amount of his or her higher education scholarship.

Vetoed in Part

Vetoed in Part

Vetoed
in Part

~~SECTION 269f. 39.41 (7) of the statutes is amended to read:~~

~~39.41 (7) By February 1, 1991, and annually thereafter, the board shall submit a report to the joint committee on finance evaluating the success of the program under this section. The report shall specify the number and amount of the scholarships awarded in the current fiscal year and the institutions of higher education chosen by the scholarship recipients. The report to be submitted on February 1, 1994, shall also specify information on the adjusted gross income of the parents of scholarship recipients. Disclosure by any parent of a designated scholar or alternate of information on the parent's adjusted gross income for purposes of this subsection shall be voluntary and may not be a condition of eligibility for a higher education scholarship under this section.~~

~~SECTION 269g. 39.41 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~39.41 (8) The state superintendent shall promulgate rules establishing criteria for the designation of scholars or alternates under sub. subs. (1m) (c) 3 and (l) and (3m) (c).~~

SECTION 270. 40.01 (2) of the statutes is amended to read:

40.01 (2) PURPOSE. The public employe trust fund is a public trust and shall be managed, administered, invested and otherwise dealt with solely for the purpose of ensuring the fulfillment at the lowest possible cost of the benefit commitments to participants, as set forth in this chapter, and shall not be used for any other purpose. Revenues collected for and balances in the accounts of a specific benefit plan shall be used only for the purposes of that benefit plan, including amounts allocated under s. 20.515 (1) (um) or (ut) or 40.04 (2), and shall not be used for the purposes of any other benefit plan. Each member of the employe trust funds board shall be a trustee of the fund and the fund shall be administered by the department of employe trust funds. All statutes relating to the fund shall be construed liberally in furtherance of the purposes set forth in this section.

SECTION 271. 40.02 (3) of the statutes is renumbered 40.02 (3) (intro.) and amended to read:

40.02 (3) (intro.) "Annual earnings period" means the calendar year except for teachers as follows:

(a) For a teacher, it means the period beginning on the first day of a school year and ending on the day prior to the beginning of the next school year, as determined by the employer in accordance with rules of the department.

SECTION 272. 40.02 (3) (b) of the statutes is created to read:

40.02 (3) (b) For a supreme court justice, court of appeals judge or circuit judge who terminates all creditable service on or after the effective date of this paragraph [revisor inserts date], it means the period beginning on July 1 and ending on the following June

30. This paragraph applies to periods beginning after June 30, 1988.

SECTION 272m. 40.02 (17) (intro.) of the statutes is amended to read:

40.02 (17) (intro.) "Creditable service" means the creditable current and prior service, expressed in years and fractions of a year to the nearest one-hundredth, for which a participating employe receives earnings and for which contributions have been made as required by s. 40.05 (1) and (2) and creditable military service, service credited under s. 40.25 (7) and service credited under s. 40.29, expressed in years and fractions of years to the nearest one-hundredth. How much service in any annual earnings period is the full-time equivalent of one year of creditable service shall be determined by rule by the department and the rules may provide for differing equivalents for different types of employment. Except as provided under pars. (i) and (k), the amount of creditable service for periods prior to January 1, 1982, shall be the amount for which the participant was eligible under the applicable laws and rules in effect prior to January 1, 1982. No more than one year of creditable service shall be granted for any annual earnings period. Creditable service is determined in the following manner for the following persons:

~~SECTION 272p. 40.02 (28) of the statutes is amended to read:~~

~~40.02 (28) "Employer" means the state, including each state agency, and any county, city, village, town, school district, other governmental unit or instrumentality of 2 or more units of government now existing or hereafter created within the state, except the Wisconsin counties association or any successor to that association and except as provided under ss. 40.51 (7) and 40.61 (3). Each employer shall be a separate legal jurisdiction for QASDH purposes.~~

~~SECTION 272r. 40.02 (36) of the statutes is amended to read:~~

~~40.02 (36) "Governing body" means the legislature or the head of each state agency with respect to employees of that agency for the state, the common council in cities, the village board in villages, the town board in towns, the county board in counties, the school board in school districts, or the board, commission or other governing body having the final authority for any other unit of government or for any agency or instrumentality of 2 or more units of government, other than the Wisconsin counties association or any successor to that association.~~

SECTION 273. 40.03 (6) (j) of the statutes is created to read:

40.03 (6) (j) May contract with the office of health care information and may contract with other public or private entities for data collection and analysis services related to health maintenance organizations and insurance companies that provide health insurance to state employes.

Vetoed
in Part

SECTION 274. 40.04 (2) (a) of the statutes is amended to read:

40.04 (2) (a) An administrative account shall be maintained within the fund from which administrative costs of the department shall be paid, except charges for services performed by the investment board and, costs of medical and vocational evaluations used in determinations of eligibility for benefits under ss. 40.61, 40.63 and 40.65, shall be paid and costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j).

SECTION 275. 40.04 (2) (e) of the statutes is created to read:

40.04 (2) (e) The costs of contracting for insurance data collection and analysis services under s. 40.03 (6) (j) shall be paid from the appropriation under s. 20.515 (1) (ut).

Vetoed
in Part

~~SECTION 275m. 40.05 (2) (fm) of the statutes is created to read:~~

~~40.05 (2) (fm) The Wisconsin counties association, or any successor to that association, shall continue to make contributions under par. (b) after June 30, 1992, as if that association continued to be a participating employer after that date, until full payment of that association's unfunded prior service liability for all categories of employees is made. The Wisconsin counties association, or any successor to that association, may make contributions of amounts under par. (b) in advance to reduce that association's existing unfunded prior service liability.~~

SECTION 276. 40.05 (4) (bc) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

40.05 (4) (bc) The accumulated unused sick leave of an eligible employe under s. 40.02 (25) (b) 6g shall be converted to credits for the payment of health insurance premiums on behalf of the employe on the date on which the department receives the employe's application for a retirement annuity or for lump sum payment under s. 40.25 (1). The employe's unused sick leave shall be converted at the salary rate that the employe would be receiving on the date of the conversion if the employe had continued to be employed in the position described in s. 40.02 (25) (b) 6g that the employe held immediately before the employe terminated all creditable service or, if the employe is a state elected official who would have been prohibited by law from receiving an increase in compensation during the official's term of office, at the salary rate that would have been payable to the employe on the date of the conversion if the employe had not been prohibited by law from receiving an increase in compensation during his or her term of office eligible employe's basic pay rate immediately prior to termination of all creditable service. The full premium for the employe, or for the surviving insured dependents of the employe if the employe later becomes deceased, 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 payment.

~~SECTION 276e. 40.19 (5) of the statutes is created to read:~~

~~40.19 (5) All of the following apply to an employe of the Wisconsin counties association:~~

~~(a) The employe shall have the amount of, and eligibility for, the employe's benefits that were accrued for service rendered as an employe of that association before July 1, 1992, determined in accordance with the statutes in effect on June 30, 1992, but the form of payment, processing procedures and accounting controls shall be determined in accordance with this chapter.~~

~~(b) The employe shall have no right to the further accrual of benefits nor to the future exercise of rights for service rendered as an employe of that association after June 30, 1992.~~

~~SECTION 276f. 40.21 (2) of the statutes is amended to read:~~

~~40.21 (2) Any employer who elected or was required to participate in the Wisconsin retirement fund under s. 41.05, 1979 stats., shall be included in the Wisconsin retirement system on the same basis as the employer was included in the Wisconsin retirement fund, except that the Wisconsin counties association or any successor to that association shall not be included in the Wisconsin retirement system after June 30, 1992.~~

SECTION 276g. 40.25 (7) of the statutes is created to read:

40.25 (7) (a) Each participating employe whose creditable service terminates on or after the effective date of this paragraph ... [revisor inserts date], and who has performed service, other than military service, as an employe of the federal government or a state or local governmental entity in the United States, other than a participating employer, that is located within or outside of this state may receive creditable service for such service if all of the following conditions are met:

1. The participant files an application to receive creditable service under this paragraph not more than 90 days after termination of employment as a participating employe.
2. The participant has at least 3 continuous years of creditable service under the fund at the time of application under subd. 1.
3. The number of years of creditable service applied for under this paragraph does not exceed the number of years of creditable service that the participant has at the date of application or 10 years, whichever is less.
4. At the time of application under subd. 1, the participant furnishes evidence of such service which is acceptable to the department.

Vetoed
in Part

5. At the time of application under subd. 1, the participant pays to the department a lump sum equal to the present value of the creditable service applied for under this paragraph, in accordance with rates actuarially determined to be sufficient to fund the full cost of the increased benefits that will result from granting the creditable service under this paragraph.

(b) Creditable service granted under par. (a) shall be calculated in an amount equal to the year and fractions of a year to the nearest one-hundredth of a year for service other than military service performed for the governmental entity, as determined by evidence of such service furnished under par. (a) 4. Creditable service granted under par. (a) shall be the same type of creditable service as the type that is granted to participants who are not executive participating employes, elected officials or protective occupation participants. A participating employe may apply to receive part or all of the creditable service that he or she is eligible to receive under par. (a).

(c) If a participant applies to receive creditable service under par. (a) and the department denies the participant creditable service, the department shall refund the participant's lump sum payment made under par. (a) 5.

(d) The lump sum payment under par. (a) 5 shall be credited and treated as an employe required contribution for all purposes of the retirement system, except for purposes of s. 40.23 (3).

(e) A participant may transfer available employe additional contribution accumulations to the employe required contribution account under par. (d) as payment of the lump sum under par. (a) 5.

(f) A participant may not receive creditable service under par. (a) for service that is used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state or local government entity, except a disability or OASDHI benefit or a benefit paid for service in the national guard.

SECTION 276ic. 40.51 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) ~~is subject to s. 40.51 (8) and shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (3) and (5), 632.895 (5m), (8) and (9) and 632.896.~~ shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (3), (4) and (5), 632.895 (5m), (8) and (9) and 632.896.

SECTION 276id. 40.51 (8) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), section 276ic, is repealed and recreated to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (3), (4) and (5), 632.895 (5m), (8) and (9) and 632.896.

Vetoed in Part

~~SECTION 276ie. 40.51 (8) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:~~

~~40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss.~~

~~631.89, 631.90, 631.93 (2), 632.87 (3), (4) and (5), 632.895 (5m), (8), (9) and (10) and 632.896.~~

Vetoed in Part

SECTION 276iem. 40.51 (8m) of the statutes is repealed.

SECTION 276ig. 40.51 (13) of the statutes is repealed.

SECTION 276ii. 40.51 (14) of the statutes, as created by 1989 Wisconsin Act 336, is repealed.

SECTION 276ik. 40.51 (15) of the statutes is repealed.

~~SECTION 276im. 42.10 of the statutes is amended to read:~~

Vetoed in Part

~~42.10 Cooperation to promote agriculture. The state fair park board shall enter into a memorandum of understanding with the department of agriculture, and trade and consumer protection to coordinate the activities of the state fair park board and that department. The state fair park board shall cooperate with the department of agriculture, and trade and consumer protection in the conduct and promotion of fairs, exhibits and educational and promotional events related to agriculture and the activities of that department at state fair park.~~

SECTION 277. 42.12 of the statutes is created to read:

42.12 Crowd and traffic control services grant program. (1) Beginning on July 1, 1992, in each fiscal year, the state fair park board may award a grant, not to exceed \$35,000, to the city of West Allis to be used to provide crowd and traffic control services related to events held at the state fair park, including events associated with the Olympic ice training center under s. 42.11.

(2) The state fair park board may not award a grant under sub. (1) unless all of the following conditions are met:

(a) The city of West Allis submits a plan to the state fair park board detailing the proposed use of the grant.

(b) The state fair park board approves the plan under par. (a).

(c) The city of West Allis enters into a written agreement with the state fair park board under which the city of West Allis agrees to comply with conditions specified by the state fair park board for use of the grant, including an agreement to comply with any reporting and auditing requirements specified by the state fair park board.

(d) The city of West Allis agrees to submit to the state fair park board, within 6 months after the grant proceeds are fully expended, a report detailing the use of the proceeds of the grant.

~~SECTION 277b. 43.03 (11) of the statutes is created to read:~~

Vetoed in Part

~~43.03 (11) Ensure that the public library systems that participated in fiscal year 1990-91 in multitype library demonstration projects administered by the division using federal funding received under 20 USC 355e to 355e-3 be provided, for fiscal year 1992-93 and~~

Vetoed
in Part

~~For each fiscal year thereafter, at least \$19,100 in aid to be used for multitype libraries from the total amount of federal funding received by the state under 20 U.S.C. 355e to 355e-3. If the amount of such federal funding for a fiscal year is less than \$19,100, the division shall distribute the total amount of the federal funding received among all of the public library systems entitled to receive aid under this subsection.~~

SECTION 277d. 43.15 (2) of the statutes is amended to read:

43.15 (2) FINANCIAL SUPPORT. (a) Each county proposed to be included within a system shall demonstrate, to the satisfaction of the division, its ability to provide adequate funding to implement the plan submitted under s. 43.11 (3) and the report submitted under s. 43.13 (1).

(b) The county shall maintain its support for library services at a level not lower than the average of the previous 3 years.

SECTION 277f. 43.15 (2) (c) and (d) of the statutes are created to read:

43.15 (2) (c) If a city, village, town or school district that contributed to the county tax in the previous year is granted an exemption from the county tax under s. 43.64 (2) for the current year, the 3-year average under par. (b) shall be calculated as follows:

1. Subtract the previous year's equalized valuation of that portion of the city, village, town or school district that is located in the county from the previous year's equalized valuation of the county.

2. Divide the remainder under subd. 1 by the previous year's equalized valuation of the county.

3. Multiply the quotient under subd. 2 by the county's average support for library services for the previous 3 years.

(d) For the year following a year for which an exemption is granted under s. 43.64 (2), the product calculated under par. (c) 3 shall be the amount used as the annual county support level for the 2 preceding years for the purpose of calculating the 3-year average under par. (b). For the 2nd year following a year for which an exemption is granted under s. 43.64 (2), the product calculated under par. (c) 3 shall be the amount used as the annual county support level for the 2nd year preceding the year for which the exception is granted for the purpose of calculating the 3-year average under par. (b).

SECTION 277h. 43.15 (4) (c) 5 of the statutes is amended to read:

43.15 (4) (c) 5. ~~Is funded by~~ Receives funding from the municipal or county governing body at a level that is not lower than the average of such funding received for the previous 3 years.

SECTION 277hg. 43.30 (title) of the statutes is amended to read:

43.30 (title) Public library records.

SECTION 277hm. 43.30 of the statutes is renumbered 43.30 (1) and amended to read:

43.30 (1) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating ~~which of its documents or other materials have been loaned to or used by an identifiable~~ the identity of any individual who borrows or uses the library's documents or other materials, resources or services may not be disclosed ~~except by court order or to persons acting within the scope of their duties in the administration of the library or library system or to persons authorized by the individual to inspect such records, or by order of a court of law or to libraries as authorized under subs. (2) and (3).~~

SECTION 277hr. 43.30 (2) and (3) of the statutes are created to read:

43.30 (2) A library supported in whole or in part by public funds may disclose an individual's identity to another library for the purpose of borrowing materials for the individual only if the library to which the individual's identity is being disclosed meets at least one of the following requirements:

(a) The library is supported in whole or in part by public funds.

(b) The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. (3).

(c) The library agrees not to disclose the identity of the individual except as authorized under sub. (3).

(3) A library to which an individual's identity is disclosed under sub. (2) and that is not supported in whole or in part by public funds may disclose that individual's identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. (2) (a) to (c).

SECTION 277i. 43.54 (1) (a) of the statutes is amended to read:

43.54 (1) (a) Each public library established under s. 43.52 shall be administered by a library board composed in each city of the 2nd or 3rd class or school district of 9 members, in each city of the 4th class of 7 members and in each village, town, tribal government or tribal association of 5 members. Two additional members may be appointed to a library board for a village, town, tribal government or tribal association so that the board has 7 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of towns adjacent to the municipality. Members shall be appointed by the mayor, village president, town chairperson, tribal chairperson or school board chairperson, respectively, with the approval of the municipal governing body. Up to 2 additional members may be appointed under s. 43.60 (3).

SECTION 277j. 43.60 (3) of the statutes is amended to read:

43.60 (3) Whenever the annual sum appropriated by the other municipality or county under sub. (2) equals or exceeds one-sixth of the ~~net annual income~~ of sum appropriated to the public library by any municipality in which the public library is located during the preceding fiscal year, the mayor, village president, town or county chairperson or tribal chairman of the other municipality or county, with the approval of the governing body thereof, may appoint from among the residents of the municipality or county an additional member of the library board of the public library and, when such sum equals or exceeds one-third of the ~~net annual income~~ sum appropriated to the public library by any municipality in which the public library is located, 2 additional members, for a term of 3 years from the July 1 next succeeding such appointment, and thereafter for terms of 3 years. Whenever the appropriation made is less than the one-third specified, the office of one such additional member of the board and, if less than the one-sixth specified, the office of both shall be vacant from the July 1 next thereafter.

SECTION 277L. 44.02 (6) of the statutes is amended to read:

44.02 (6) Thoroughly catalog the entire collections of ~~said~~ the society for the more convenient reference of all persons who have occasion to consult the same collections. The society may loan to libraries, educational institutions and other organizations or to private individuals in good standing items from the collections of the society.

SECTION 277Lm. 44.02 (7) of the statutes is repealed.

Vetoed
in Part

~~SECTION 277m. 44.02 (23) of the statutes is amended to read:~~

~~44.02 (23) Identify any archaeological site, including contiguous land necessary to protect the site, in this state that is listed in the national register of historic places in Wisconsin or the state register of historic places and that is not cataloged under s. 157.70 (2) (a). Any information collected under this subsection the disclosure of which would be likely to result in the disturbance of an archaeological site is not subject to s. 19.35 (1) (a).~~

SECTION 278. 44.15 (title) of the statutes is amended to read:

44.15 (title) Historical markers program.

SECTION 279. 44.15 (1) of the statutes is renumbered 44.15 (2) and amended to read:

44.15 (2) (title) CREATION. It is declared to be in the public interest to stimulate interest in and knowledge of the state by marking sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance, and maintaining and developing such sites approximately so as to preserve their individual characteristics. The historical markers program is created to call attention to the state's historical, cultural and natural heritage through a system of markers and plaques and to supplement, wher-

ever possible, information contained in the state register of historic places. It is the purpose of this section the program to significantly increase the number of historical, cultural and natural heritage sites that are marked in this state and to accomplish such marking, maintenance and development through the historical markers council. In addition to powers specifically enumerated, the council shall have all powers necessary to perform its duties.

SECTION 280. 44.15 (1) of the statutes is created to read:

44.15 (1) DEFINITIONS. In this section, "council" means the historical markers council.

SECTION 281. 44.15 (2) of the statutes is repealed.

SECTION 282. 44.15 (3) of the statutes is renumbered 44.15 (7) and amended to read:

44.15 (7) (title) DONATIONS; ASSISTANCE. (a) The council may accept gifts, appropriations and bequests made to it for the purposes of this section and use them as far as practicable in accordance with the wishes of the donor. All money so received shall promptly be paid into the state treasury and be paid out on order of the council. The expenditures thereof shall be audited and paid as other disbursements by the state treasury are audited and paid.

(b) The council may accept the aid, support and cooperation of county, city, village or town agencies, or private agencies or persons in executing its projects.

(8) (title) COOPERATION OF STATE AGENCIES. All state departments, independent agencies and institutions are directed to cooperate with ~~it~~ the council in the performance of its duties. Applicable laws shall be liberally construed in favor of such cooperation.

SECTION 283. 44.15 (3) to (6) and (9) of the statutes are created to read:

44.15 (3) MARKERS AND PLAQUES. (a) In consultation with the council, the historical society shall do all of the following:

1. Plan, develop and publicize a uniform system of marking for state and local sites of historical, architectural, cultural, archaeological, ethnic, geological and legendary significance. The marking system shall constitute large markers of standard design, in one or more sizes, with narrative text describing the associated site.

2. Plan, develop and publicize a system of plaques for the districts, sites, buildings, structures and objects listed on the state register of historic places and a system of plaques for marking state and local sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance. The system of plaques shall constitute small plaques of various types, each with a standard design, intended to identify the district, site, building, structure or object, and generally without narrative text. Any narrative text included on a plaque shall be standardized for a specific type of plaque. The historical society shall consider and respond to reasonable requests to establish new types of plaques.

3. Establish criteria for the selection of appropriate sites for markers and plaques under this subsection. The historical society shall accept applications for approval of the placement of markers and plaques, and for any narrative text for markers. The historical society shall approve those applications that meet the criteria established by the historical society.

(b) The markers and plaques approved by the historical society under this subsection may not be used to mark sites other than those approved by the historical society and shall be used subject to any conditions established by the historical society. No marker or plaque may include the name of the current owner of the property. Without the approval of the historical society, no person may erect or use a marker or plaque that is identical to or misleadingly resembles the markers and plaques approved under this subsection. The historical society may require the removal of any marker or plaque that does not meet the requirements of this subsection.

(4) STATE-FUNDED MARKERS. In consultation with the council, the historical society may identify and authorize construction of individual markers or plaques, or any series of markers or plaques, to be funded from the appropriation under s. 20.245 (3) (d). No matching funds are required for a marker or plaque that is constructed under this subsection. Funds under this subsection may be used for the purchase of plaques to be installed on historical properties and for the construction of markers or plaques in other states or countries.

(5) MAINTENANCE. Any approval issued for a marker or plaque by the historical society under this section shall include a requirement that the applicant maintain the marker or plaque, and shall also include authorization permitting the historical society or council, if necessary, to enter the property and maintain the marker or plaque. The historical society may issue orders to maintain markers and plaques, and may maintain markers or plaques.

(6) STATE-OWNED PROPERTY. Each board, commission, committee, department or officer in state government shall cooperate with the historical society in the placement of markers or plaques on state-owned property, and shall place and maintain such markers or plaques, as supplied by the historical society, at locations identified by the historical society.

(9) RULES. In consultation with the council, the historical society shall promulgate rules to implement and administer the program. The rules shall include all of the following:

(a) Policies and procedures for the uniform systems of markers and plaques under sub. (3) (a) 1 and 2.

(b) Criteria for the selection of appropriate sites for markers and plaques under sub. (3) (a) 3.

SECTION 287c. 44.47 (1) (b) of the statutes is amended to read:

44.47 (1) (b) "Archaeological site" means any land or the bed of any stream or lake where there are objects or other evidence of archaeological interest, aboriginal mounds and earthworks, ancient burial grounds, prehistoric and historical ruins, Indian mounds, historic and prehistoric watercraft and associated objects, aircraft and other archaeological and historical features.

SECTION 287e. 44.47 (1) (bm) of the statutes is created to read:

44.47 (1) (bm) "Council" means the submerged cultural resources council.

SECTION 287g. 44.47 (1) (i) of the statutes is created to read:

44.47 (1) (i) "Submerged cultural resource" means an archaeological site or historic property that is located beneath the surface of a lake or stream.

SECTION 287j. 44.47 (5m) of the statutes is created to read:

44.47 (5m) SUBMERGED CULTURAL RESOURCES. (a) There is established, to be administered by the historical society and department of natural resources, a program for submerged cultural resources of this state.

(b) The historical society, in consultation with the department of natural resources, shall coordinate the activities of the state relating to the preservation, management and public use of submerged cultural resources. The historical society may enter into agreements with federal and state agencies, political subdivisions and nonprofit organizations regarding the preservation, management and use of submerged cultural resources and the management of bottomland preserves. On or before February 1 of each odd-numbered year, the historical society shall submit a report to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), on submerged cultural resources activities and implementation of this subsection.

(c) The historical society and department of natural resources may by rule designate areas of the bed of any stream or lake as bottomland preserves, for the purpose of enhancing preservation, management and public use of any submerged cultural resources within the bottomland preserve. A bottomland preserve may encompass more than one object or archaeological site.

(d) Before designation of an area as a bottomland preserve, the historical society shall consider all of the following:

1. If the preserve will provide preservation, management and public use of submerged cultural resources.

2. The extent to which an inventory of submerged cultural resources has been conducted for the area within the proposed bottomland preserve.

3. Whether a plan has been prepared for the management of submerged cultural resources within the

proposed bottomland preserve and for the recreational management and development of the proposed bottomland preserve.

4. The existence of an entity that will assume responsibility for the management of the bottomland preserve.

5. The availability of existing or planned facilities necessary for recreational uses of the bottomland preserve, including roads, boat landings, marinas, boat and diving charter services, hotels, medical decompression facilities and rescue agencies.

(e) The historical society and department of natural resources may promulgate rules relating to the access, use, stewardship, management, protection and recreational development of bottomland preserves, and the preservation, conservation, curation and display of submerged cultural resources and objects removed from underwater archaeological sites.

(f) The council shall:

1. Make recommendations to the historical society and the department of natural resources regarding the creation and management of bottomland preserves.

2. As requested by the state archaeologist, review applications for archaeological permits and make recommendations regarding issuance of permits.

3. As requested by the secretary of natural resources, review applications for archaeological permits for the recovery of abandoned property, including nonhistorical shipwrecks of potential recreational value, and make recommendations regarding issuance of permits.

4. Advise the historical society and department of natural resources regarding the administration of this program.

SECTION 287m. 44.47 (7) (a) of the statutes is amended to read:

44.47 (7) (a) 1. Whoever violates sub. (2) or any rules promulgated under sub. (5m) (e) shall forfeit not less than \$100 nor more than \$500.

2. Whoever intentionally defaces, injures, destroys, displaces or removes any archaeological object or data belonging to the state, or intentionally interferes with evidence or work on any state site or site owned by a political subdivision for which a permit has been issued under this section or intentionally violates any other provision of this section ~~shall forfeit or any rules promulgated under sub. (5m) (e) shall be fined not less than \$1,000 nor more than \$5,000 or imprisoned for not more than 9 months or both.~~

3. Whoever removes any archaeological object from a state site or site owned by a political subdivision for commercial gain in violation of this section or any rules promulgated under sub. (5m) (e) shall forfeit an amount not to exceed 2 times the gross value gained or the gross loss caused by the disturbance, whichever is the greater, plus court costs and the costs of investigation and prosecution, reasonably incurred.

SECTION 287p. 44.47 (7) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

44.47 (7) (b) The director may refuse to issue or renew or may suspend or revoke the permit of any person who has violated this section or any rules promulgated under sub. (5m) (e). The director may refuse to name a school or scientific institution as the custodian of objects or data under any permit or agreement, if that school or scientific institution has failed in its duty to care for and preserve objects or data belonging to the state or has failed to make such objects or data conveniently available to the public.

SECTION 288m. 45.03 (3) of the statutes is created to read:

45.03 (3) From the appropriation under s. 20.485 (2) (sm), the department shall pay all debts that remain unpaid on February 15, 1992, for expenses incurred in operating the veterans memorial at The Highground in Clark county and shall contract for improvements related to the memorial. The improvements shall include the paving of the parking lot at the memorial.

SECTION 288n. 45.351 (1m) of the statutes is created to read:

45.351 (1m) VIETNAM-RELATED ILLNESSES. (a) The department may grant health care aid under sub. (1) for the purposes under par. (b) to a veteran if the veteran is suffering from non-Hodgkin's lymphoma or soft-tissue sarcoma and if the veteran served on active duty in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces between August 5, 1964, and July 1, 1975, and served in Vietnam, Cambodia, Thailand or Laos, or in international waters adjacent to those countries. In that case, the requirements established by the department under sub. (1) are modified if the veteran provides the department with a physician's statement that the veteran is diagnosed as having non-Hodgkin's lymphoma or soft-tissue sarcoma. The department may not require a veteran suffering from non-Hodgkin's lymphoma or soft-tissue sarcoma to spend available liquid assets as a condition of receipt of aid under sub. (1).

(b) The department may grant health care aid under sub. (1) for all of the following purposes:

1. The treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma regardless of whether a transfer to a U.S. department of veterans affairs hospital is medically feasible.

2. The nonemergency treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma without requiring the veteran to obtain prior authorization from the department for that treatment.

3. The nonemergency out-of-state treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma regardless of whether appropriate health care is available in the state.

Vetoed
in Part

4. Nonemergency surgery related to non-Hodgkin's lymphoma or soft-tissue sarcoma without requiring the veteran to seek the surgery at a U.S. department of veterans affairs hospital.

(c) A person may submit an application for benefits under this subsection later than 120 days after receiving medical treatment for non-Hodgkin's lymphoma or soft-tissue sarcoma.

(d) The department may provide a health care grant under sub. (1) for other diseases in addition to those covered by this subsection if the department determines that the disease has a positive association with exposure to agent orange or other herbicides that occurred in Vietnam, Cambodia, Thailand or Laos, or in international waters adjacent to those countries, during the period specified under par. (a).

SECTION 288nm. 45.352 of the statutes is created to read:

45.352 Services to older veterans. (1) DEFINITIONS. In this section:

(a) "Department" means the department of veterans affairs.

(b) "Rural county" means a county that is not an urban county.

(c) "Urban county" means a county that is located in a federal standard metropolitan statistical area that predominantly contains residents of this state.

(2) RETIRED SENIOR VOLUNTEER PROGRAM. (a) From the appropriation under s. 20.485 (2) (rs), the department may provide grants to one retired senior volunteer program operating in an urban county and to one retired senior volunteer program operating in a rural county to provide services to veterans who are primarily confined to their home. To be eligible for a grant under this subsection, a retired senior volunteer program shall do all the following:

1. Meet all of the requirements for a retired senior volunteer program under s. 46.85.

2. Have a U.S. department of veterans affairs health care facility in the program's service area.

3. Sign a memorandum of understanding agreed to and signed by a U.S. department of veterans affairs health care facility in the program's service area that is willing to cooperate with the retired senior volunteer program in providing services to veterans who are primarily confined to their home. The department shall assist the retired senior volunteer program in developing the memorandum of understanding. The memorandum of understanding shall be signed by the head administrator of the health care facility and by the retired senior volunteer program director. The memorandum of understanding shall describe the responsibilities of the retired senior volunteer program and of the U.S. department of veterans affairs health care facility. The memorandum of understanding shall provide that the recruiting of volunteers for the program shall be the responsibility of the retired senior volunteer program but that the program shall cooper-

ate with the U.S. department of veterans affairs office of voluntary services in the recruitment efforts. The memorandum of understanding shall provide that recruitment presentations shall be made to selected veterans organizations in the program's service area at least annually. The memorandum of understanding shall provide that special efforts will be made to recruit veterans age 60 and older and veterans' wives, widows and other family members as senior volunteers.

(b) From the appropriation under s. 20.485 (2) (rs), the department shall provide a grant to each retired senior volunteer program that meets the requirements under par. (a) in an amount sufficient to enable the retired senior volunteer program to provide meal and transportation allowances for 6 senior volunteers.

~~SECTION 288p. 45.37 (18) of the statutes is created to read:~~

~~45.37 (18) INPATIENT CARE PAYMENTS. From the appropriation under s. 20.485 (2) (e), the department may reimburse the county for the provision of inpatient care to a resident of the veterans home at King if medicare, medical assistance, other public programs except general relief, or private insurance are not available to pay for the care. The department may provide reimbursement under this subsection only if the inpatient care is provided at a location other than at the veterans home at King and the cost of the inpatient care provided to a resident exceeds \$5,000 in a calendar year. The department may not provide reimbursement under this subsection for the provision of inpatient care to a resident of the veterans home at King if the person was a resident of Waupaca county immediately before becoming a resident of the veterans home at King.~~

SECTION 288t. 45.43 (7) (d) of the statutes is created to read:

45.43 (7) (d) 1. From the appropriation under s. 20.485 (2) (rc), the department shall grant \$50,000 in fiscal year 1992-93 to the Milwaukee office of the national association of Black veterans for the operation of the long-term transitional housing program of the minority homeless veterans reintegration project operating in Milwaukee county on June 30, 1991.

2. From the appropriation under s. 20.485 (2) (rc), the department may award grants not to exceed \$25,000 in fiscal year 1992-93 to county veterans' service offices in counties other than Milwaukee county for the purpose of contracting for the operation of long-term transitional housing for homeless veterans.

~~SECTION 290m. 46.03 (41) of the statutes is created to read:~~

~~46.03 (41) CHILDREN'S HEALTH CARE SERVICES HOTLINE. Maintain a toll-free telephone number during normal business hours to provide persons with information regarding the following health care services programs for children and eligibility for them: medical assistance; healthy start; health check; women,~~

Vetoed
in Part

Vetoed
in Part

**Vetoed
in Part**

~~infants and children; primary health care grants; maternal and child health block grant; Wisconsin immunization, and lead exposure poisoning prevention. The department shall publicize the toll-free telephone number as widely as possible in this state. The department shall attempt to obtain the 1-800-GET-WELL telephone number as the toll-free telephone number under this subsection.~~

SECTION 291g. 46.26 (3) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.26 (3) (c) ~~From the funds authorized to be allocated for juvenile delinquency related services under s. 46.40 (1) Within the limits of the appropriations under s. 20.435 (3) (cd) and (oo),~~ the department of health and social services shall allocate funds to each county for services under this section.

SECTION 291m. 46.26 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, section 1253b, is amended to read:

46.26 (4) (a) Except as provided in par. (c), the department of health and social services shall bill counties or deduct from the ~~funds authorized to be allocated for juvenile delinquency related services allocations under s. 46.40 (1) 20.435 (3) (cd)~~ for the costs of care, services and supplies purchased or provided by the department of health and social services for each person receiving services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving services under s. 48.366. The department of health and social services 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 of health and social services may withhold aid payments in the amount due from the appropriation under s. 20.435 (7) (b).

SECTION 293g. 46.26 (6) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.26 (6) (a) The intent of this subsection is to develop criteria to assist the legislature in allocating funding, excluding funding for base allocations, from ~~funds authorized to be allocated for juvenile delinquency related services the appropriations under s. 46.40 (1) 20.435 (3) (cd) and (oo)~~ for purposes described in this section.

SECTION 293m. 46.26 (7) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, section 1261d, is amended to read:

46.26 (7) ALLOCATIONS OF FUNDS. (intro.) ~~From the funds authorized to be allocated for juvenile delinquency related services~~ Within the limits of the availability of federal funds and of the appropriations under s. 46.40 (1) 20.435 (3) (cd) and (oo), the department shall allocate funds for community youth and family

aids for the period beginning July 1, 1991, and ending June 30, 1993, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 293p. 46.26 (7) (g) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.26 (7) (g) For adjustments to provide increases for community program allocations, amounts not to exceed \$819,200 for 1992 and ~~\$826,300~~ \$647,700 for the first 6 months of 1993.

~~SECTION 293m. 46.263 of the statutes is created to read:~~

~~46.263 Runaway services. From the appropriation under s. 20.435 (7) (ew), the department shall allocate \$100,000 in fiscal year 1992-93 to maintain runaway services programs that provide crisis intervention and follow-up services to runaway and homeless children and adolescents in crisis and to the families of runaway and homeless children and adolescents in crisis.~~

~~SECTION 296d. 46.264 (7) of the statutes is repealed.~~

SECTION 296f. 46.278 (1m) (a) of the statutes is renumbered 46.278 (1m) (am).

SECTION 296h. 46.278 (1m) (ag) of the statutes is created to read:

46.278 (1m) (ag) "Family consortium" means a group composed of relatives, or of relatives and the guardian, of an individual with developmental disability who together provide services for the individual in a home that is an extension of a relative's or the guardian's home.

SECTION 296j. 46.278 (5) (am) of the statutes is created to read:

46.278 (5) (am) One individual who is eligible under par. (a) may, beginning January 1, 1992, participate in the program through services provided by a family consortium that is formed before January 1, 1991, and is approved by the department.

SECTION 296m. 46.278 (6) (c) of the statutes is created to read:

46.278 (6) (c) Funding may be provided under the program for services of a family consortium.

SECTION 296n. 46.28 (1) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.28 (1) (d) "Residential facility" means a living unit for ~~the elderly or chronically disabled eligible individuals~~ that is developed by a sponsor and that is not physically connected to a nursing home or hospital except by common service units for laundry, kitchen or utility purposes and that may include buildings and grounds for activities related to residence, including congregate meal sites, socialization, physical rehabilitation facilities and child care facilities.

~~SECTION 296o. 46.32 of the statutes is created to read:~~

~~46.32 Council on American Indian health. (1) DEFINITION. In this section, "American Indian health"~~

**Vetoed
in Part**

**Vetoed
in Part**

**Vetoed
in Part**

**Vetoed
in Part**

means all aspects of the physical and mental health of American Indians residing in this state, including alcohol and other drug abuse evaluation and treatment, audiology, dentistry and dental hygiene, community health nursing, general internal medicine, laboratory and X-ray services, mental health care, optometry, physical therapy, pharmacy, podiatry and social services.

(2) **DUTIES.** The council on American Indian health shall do all of the following:

(a) Develop, periodically update and recommend to the department a state plan for the improvement of health care services to American Indians in this state. The council shall consult with tribal governments and health programs, the federal Indian health service, the department and other entities involved in American Indian health to seek their comments and suggestions regarding the plan and to coordinate the plan with plans developed by those entities. The plan shall address all of the following:

1. The availability of comprehensive health care services for all American Indians in this state.

2. Access for American Indians and tribal governments to state and county health care programs, including, where appropriate, tribal administration of such programs.

3. Intergovernmental coordination of health care programs affecting American Indians, including coordination among tribal, county, state and federal governments.

4. The development and coordination of programs to address health care issues of particular concern to American Indians.

5. Recruitment and training of health care providers to meet the specialized health needs of American Indians, including the recruitment and training of American Indians from this state and other individuals with a particular commitment to serving American Indian communities.

6. Research regarding health care issues of particular concern to American Indians.

7. Any other topic identified by the council.

(b) Advise the officers and entities specified in sub. (4) regarding funding, policies, programs and operations of those entities and other matters with respect to American Indian health.

(c) Recommend legislation relating to American Indian health.

(d) Seek the collaboration of private, state and federal agencies in funding and conducting a comprehensive assessment of the health care needs of American Indians in this state.

(e) Consider all questions and matters regarding American Indian health arising within the council or brought to the council for review.

(f) Submit annually to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2) and to the American Indian study

committee under s. 13.85 (3), a report concerning the council's recommendations under par. (c).

(g) Meet at least 4 times annually.

(3) **POWERS.** The council on American Indian health may do any of the following:

(a) Form committees for the consideration of specific topics within the charge of the council.

(b) Request reports or other information from state agencies regarding issues affecting American Indian health.

(c) Hold public hearings to gather information regarding issues affecting American Indian health.

(d) Request assistance or information and solicit policy recommendations from tribal governments and health programs, the federal Indian health service, the department and other entities involved in American Indian health.

(e) Conduct public forums or other educational programs to inform policymakers and administrators of state and county health programs and the general public about the health care needs of American Indians.

(4) **LIASON WITH STATE AGENCIES.** All of the following shall maintain liaison with and periodically report to the council on American Indian health concerning progress in achieving the objectives of the state plan developed under sub. (2) (a):

(a) The state superintendent of public instruction.

(b) The secretary of transportation.

(c) The secretary of health and social services.

(d) The university of Wisconsin-Madison medical school.

(e) The state board of vocational, technical and adult education.

SECTION 296p. 46.40 (1) of the statutes, as affected by 1991 Wisconsin Act 39, section 1297d, is amended to read:

46.40 (1) **ALLOCATION OF COMMUNITY AIDS FUNDS.** Within the limits of available federal funds and of the appropriations under s. 20.435 (3) ~~(oo)~~ and (7) (b) and (o), the department shall allocate to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for human services, including prevention, intervention, treatment and aftercare, for the period beginning on January 1, 1992, and ending on December 31, 1992, and for each calendar year thereafter.

SECTION 297. 46.45 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 298. 46.45 (6) of the statutes is amended to read:

46.45 (6) The department may carry forward 10% of any funds not carried forward under subs. (1) ~~to~~ (5) and (3) for emergencies, for justifiable unit services costs above planned levels and to provide compensation for increased costs due to population shifts.

**Vetoed
in Part**

SECTION 299. 46.48 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

46.48 (5) 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 CFR 435.1009 (e), the department may allocate not more than \$500,000 in each fiscal year. County matching funds are required for allocations under this subsection. A county's required match equals 9.89% of the county's allocation. The department may carry forward funds allocated under this subsection, but not encumbered by December 31, for allocation for the purpose under this subsection in the following calendar year.

Vetoed
in Part

~~SECTION 299g. 46.48 (10m) (a) of the statutes is repealed and recreated to read:~~

~~46.48 (10m) (a) For foster care payments under s. 49.19 (12) (b) and to provide additional funding for payments under s. 49.19 (12) (a) the department shall allocate to counties not more than \$240,000 during the period beginning on January 1, 1993, and ending on June 30, 1993.~~

~~SECTION 299k. 46.48 (22) of the statutes is amended to read:~~

~~46.48 (22) ALCOHOL AND OTHER DRUG ABUSE PROGRAM FOR WOMEN. The department shall allocate \$35,100 for fiscal year 1989-90 and \$35,200 \$35,000 for fiscal year 1990-91 1992-93 as a grant to the ARC community services center for women and children in Dane county, to address a projected operation deficit of the center; to provide additional funding for transportation and meal expenses for chemically dependent women who receive services from the center; and to provide additional funding for staff of the center.~~

SECTION 299p. 46.485 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

46.485 (2) (b) Shall, from the ~~appropriation~~ appropriations under s. 20.435 (7) (bb) and (mb), allocate funds in fiscal years 1991-92 and 1992-93 as matching funds to the Robert Wood Johnson Foundation grant for severely emotionally disturbed youths, for the purposes specified in par. (a) 1 and 2.

SECTION 299r. 46.49 of the statutes is amended to read:

46.49 Allocation of federal funds for community aids and child welfare. If the department receives unanticipated federal alcohol, drug abuse and mental health block grant funds under 42 USC 300x to 300x-9, job opportunities and basic skills child care grant funds under 42 USC 603 (n), foster care and adoption assistance payments under 42 USC 670 to 676 or, social services block grant funds under 42 USC 1397 to 1397e or child care and development block grant funds under 42 USC 9858 and it proposes to allocate the unanticipated funds so that an allocation limit in s. 46.40 is exceeded, the department shall submit a plan

for the proposed allocation to the joint committee on finance. If the cochairpersons of the committee do not notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of the department's submittal, the department may implement the plan, notwithstanding s. 46.40. If within 14 working days after the date of the secretary's submittal the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the plan, the department may implement the plan, notwithstanding s. 46.40, only with the approval of the committee.

~~SECTION 300c. 46.79 (2) (intro.) of the statutes is amended to read:~~ Vetoed
in Part

~~46.79 (2) (intro.) The department, in consultation with the department of public instruction, the department of natural resources and the department of agriculture, and trade and consumer protection, shall do all of the following:~~

~~SECTION 300k. 46.81 (2) (a) of the statutes is renumbered 46.81 (2) and amended to read:~~

~~46.81 (2) From the appropriation under s. 20.435 (7) (dj), the department shall allocate \$360,400 \$433,800 for the last 6 months of 1989, \$720,800 1991, \$1,036,400 for 1990 1992 and \$360,400 \$612,000 for the first 6 months of 1991 1993 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.~~

~~SECTION 300m. 46.81 (2) (b) of the statutes is repealed.~~

SECTION 301. 46.935 (5) (g) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

46.935 (5) (g) In each of fiscal year years 1991-92 and 1992-93, the board shall select up to 2 organizations to receive grants and shall award up to \$66,000 to each organization selected. ~~In fiscal year 1992-93, the board shall select up to 4 organizations to receive grants and shall award up to \$66,000 to each organization selected.~~

SECTION 304. 46.99 of the statutes, as affected by 1991 Wisconsin Act 6, is repealed.

SECTION 330s. 48.22 (3) (c) of the statutes is created to read:

48.22 (3) (c) All superintendents appointed under par. (a) or (b) after the effective date of this paragraph [revisor inserts date], shall, within one year after that appointment, successfully complete an administrative training program approved of or provided by the department of justice.

SECTION 340m. 48.299 (4) (b) of the statutes is amended to read:

48.299 (4) (b) ~~Neither~~ Except as provided in s. 901.05, neither common law nor statutory rules of evidence are binding at a waiver hearing under s. 48.18, a hearing for a child held in custody under s. 48.21, a

runaway home hearing under s. 48.227 (4), a dispositional hearing, or a hearing about changes in placement, revision of dispositional orders or extension of dispositional orders. At those hearings, the court shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony or evidence that is inadmissible under s. 901.05. Hearsay evidence may be admitted if it has demonstrable circumstantial guarantees of trustworthiness. The court shall give effect to the rules of privilege recognized by law. The court shall apply the basic principles of relevancy, materiality and probative value to proof of all questions of fact. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record.

SECTION 357mx. 48.985 (3) of the statutes, as affected by 1991 Wisconsin Act 39, section 1444d, is amended to read:

48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under s. 20.435 (3) (oo), the department shall allocate ~~under s. 46.40 (1)~~, 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 ~~each~~ in each fiscal year.

SECTION 393m. 49.035 (4m) of the statutes is created to read:

49.035 (4m) The department shall reimburse the general relief agency for claims submitted under sub. (4) on or before the July 31 immediately following the March 1 filing date or within 30 days after the effective date of the act that provides funding for the general relief appropriation from which general relief claims are paid, whichever is later.

SECTION 422. 49.125 (2) of the statutes is amended to read:

49.125 (2) A county or governing body of a federally recognized American Indian tribe may retain ~~15%~~ a portion 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. The department shall promulgate a rule establishing the portion of the amount of the overpayment that the county or governing body may retain. 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 427. 49.19 (4) (bm) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.19 (4) (bm) The person applying for aid shall document, to the department's satisfaction, actual income as claimed in the application, and shall reveal all assets. Except as specified in par. (br), aid is available only if the combined equity value of assets does not exceed \$1,000. One automobile with an equity

value not exceeding \$1,500, one home, as specified in par. (e), and, for each person, one burial plot and one burial agreement under s. 445.125 (1) (b) and (c) with a value of not more than \$1,500 may not be included when determining the combined equity value of assets. Any amount received under section 32 of the internal revenue code, as defined in s. 71.01 (6), and any payment made by an employer under section 3507 of the internal revenue code, as defined in s. 71.01 (6), may not be included in determining the combined equity value of assets in the month of receipt and the following month.

SECTION 428. 49.19 (4) (es) of the statutes is amended to read:

49.19 (4) (es) In determining eligibility for aid to families with dependent children, all earned and unearned income of the applicant shall be considered, except any amount received under section 32 of the internal revenue code, as defined in s. 71.01 (6), and any payment made by an employer under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and aid received under this section. Eligibility does not exist if the total income considered exceeds 185% of the standard of need or if the total income considered after disregards are applied exceeds the standard of need.

~~SECTION 431d. 49.19 (12) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 49.19 (12) (a).~~

~~SECTION 431e. 49.19 (12) (b) of the statutes is created to read:~~

~~49.19 (12) (b) In addition to the basic foster care rate and any additional supplemental or exceptional foster care rate that a child may be eligible for under par. (a), a child who is living in foster care because he or she was born with medical problems or disabilities that were caused by his or her mother's ingestion of controlled substances while she was pregnant with the child shall receive an additional \$200 per month in foster care moneys, regardless of when the child was placed in foster care. The county department under s. 46.215, 46.22 or 46.23 that placed the child in foster care shall conduct an annual assessment of the child to determine whether the child continues to have medical problems or disabilities that were caused by his or her mother's ingestion of controlled substances while she was pregnant with the child. If the assessment is positive, the child shall continue to receive the additional \$200 per month payment. The additional \$200 payment may not be used to replace any supplemental or exceptional foster care payments for which a child may be eligible and may not be used for retroactive payments to foster parents who are eligible for the additional \$200 payment for any time that a foster child was in their home before January 31, 1990.~~

~~SECTION 432t. 49.44 of the statutes is created to read:~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~49.44 Medical assistance services council. (1) The medical assistance services council shall do all of the following:~~

~~(a) Make recommendations concerning changes that would improve the cost-effectiveness of medical assistance and access to medical assistance by eligible persons.~~

~~(b) Identify federal statutes and regulations that interfere with making any of the changes identified under par. (a).~~

~~(c) Make recommendations concerning changes that would increase the provision of preventive care and primary care, as defined in s. 560.183 (1) (c), under medical assistance in order to help achieve the goals identified in healthier people in Wisconsin, a public health agenda for the year 2000, published by the department in February 1990.~~

~~(2) The medical assistance services council shall periodically submit reports concerning its activities under sub. (1) to the department, the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).~~

SECTION 433m. 49.45 (6m) (ag) 8 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.45 (6m) (ag) 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 1990-91 of no more than 2.5% during state fiscal year 1991-92 and over that paid for services provided in state fiscal year 1991-92 of no more than ~~2.5%~~ 6.75% during state fiscal year 1992-93, excluding increases in total payments attributable to increases in recipient utilization of facility care, payments for the provision of active treatment to facility residents with developmental disability or chronic mental illness and payments for preadmission screening of facility applicants and annual reviews of facility residents required under 42 USC 1396r (e).

SECTION 433rg. 49.45 (6m) (am) 4 of the statutes is amended to read:

49.45 (6m) (am) 4. Net property tax ~~or~~ allowable municipal service costs or assessments under s. 50.14 incurred by the owner of the facility for the facility.

Vetoed
in Part

~~SECTION 433rn. 49.45 (6m) (ar) 1, sg. of the statutes is created to read:~~

~~49.45 (6m) (ar) 1. cg. Notwithstanding par. (ag), direct care costs for services provided after July 1, 1993, may be determined and paid under a retrospective payment system to an intermediate care facility for the mentally retarded that meets the definition under 42 USC 1396d (d), that is independently licensed as a facility under s. 50.03 and independently certified by the department as a provider of medical assistance services, that files a cost report for the purposes of payment under this subsection that is separate from the cost report of any other facility that is~~

~~licensed under s. 50.03, that has a resident population 60% of whom require a level of care classified by the department as "DDIA" or "DLIB", and that has overall aggregate costs that are below the maximum costs or targets established under this subsection.~~

SECTION 434m. 49.45 (6m) (av) 4. (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.45 (6m) (av) 4. (intro.) If the facility's payment rate under subd. 1 is a decrease from its average payment rate from the previous year under subd. 2, or if the facility's payment rate under subd. 1 is, for the 1991 fiscal year of the facility, less than a 2.5% increase over its average payment rate under subd. 2 or is, for the 1992 fiscal year of the facility, less than a ~~2.5%~~ 6.75% increase over its average payment rate under subd. 2, and if the figure calculated under subd. 3 exceeds the payment rate for the facility under subd. 1, the following shall apply:

SECTION 435m. 49.45 (6m) (av) 4. b. of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.45 (6m) (av) 4. b. The department may increase the rate under subd. 2 by an amount not to exceed, for state fiscal year 1991-92, 2.5% of the facility's average payment rate under subd. 2, or, for state fiscal year 1992-93, ~~2.5%~~ 6.75% of the facility's average payment rate under subd. 2, based on an analysis which may be conducted by the department which compares the facility's average payment rate under subd. 2 with the costs under subd. 3 of similar facilities.

SECTION 437. 49.45 (6r) (g) of the statutes, as affected by 1991 Wisconsin Acts 39 and 80, is amended to read:

~~49.45 (6r) (g) If the federal department of health and human services limits or does not permit the state's use of assessments under this subsection as a funding source for the state share of payments made under this section, this~~ This subsection does not apply after September 30, 1992.

SECTION 438. 49.45 (7) (a) of the statutes is amended 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 or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply income in excess of \$40 or the amount of any pension paid under 38 USC 3203 (f), whichever is greater, less any amount deducted under rules promulgated by the department, toward the cost of care in the facility.

SECTION 439g. 49.45 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated to read:

49.45 (8) HOME HEALTH SERVICES REIMBURSEMENT. (a) In this subsection:

Vetoed
in Part

1. "Home health aide" has the meaning given in s. 146.40 (1) (bm).

2. "Licensed practical nurse" has the meaning given in s. 146.40 (1) (c).

3. "Occupational therapist" has the meaning given in s. 448.01 (2g).

4. "Patient care visit" means a personal contact with a patient in a patient's home that is made by a registered nurse, licensed practical nurse, home health aide, physical therapist, occupational therapist or speech-language pathologist who is on the staff of or under contract or arrangement with a home health agency, or by a registered nurse or licensed practical nurse practicing independently, to provide a service that is covered under s. 49.46 or 49.47. "Patient care visit" does not include time spent by a nurse, therapist or home health aide on case management, care coordination, travel, record keeping or supervision that is related to the patient care visit.

5. "Physical therapist" has the meaning given in s. 448.01 (3).

6. "Registered nurse" has the meaning given in s. 146.40 (1) (f).

7. "Speech-language pathologist" means an individual engaged in the practice of speech-language pathology, as regulated under ch. 459.

(b) Reimbursement under s. 20.435 (1) (b) and (o) for home health services provided by a certified home health agency or independent nurse shall be made at the home health agency's or nurse's usual and customary fee per patient care visit, subject to a maximum allowable fee per patient care visit that is established before July 1, 1994, under par. (c) and after June 30, 1994, under pars. (c) and (d).

Vetoed in Part

(c) The department shall establish a maximum statewide allowable fee per patient care visit, for each type of visit with respect to provider, that may be no greater than the cost per patient care visit, as determined by the department from cost reports of home health agencies, adjusted for costs related to case management, care coordination, travel, record keeping and supervision.

Vetoed in Part

(d) Beginning July 1, 1994, the department shall establish a maximum allowable fee under par. (c) for each type of patient care visit, that is at least 100% of the statewide median cost per patient care visit.

(e) The department shall establish a prior authorization process for services under this subsection.

Vetoed in Part

SECTION 441gg. 49.45 (24) of the statutes is renumbered 49.45 (24) (a).

SECTION 441gr. 49.45 (24) (b) of the statutes is created to read:

49.45 (24) (b) The department shall 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 in Rock county for medical assistance beneficiaries who receive aid to families with depen-

dent children. If the waiver is granted, the department shall establish the primary care provider pilot project under which primary care providers act as case managers for medical assistance beneficiaries. If the department establishes the 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.

Vetoed in Part

SECTION 441k. 49.45 (33) of the statutes is created to read:

Vetoed in Part

49.45 (33) ADULT DAY CARE PROJECT. The department shall request a waiver from the secretary of the federal department of health and human services to permit the implementation of a project to provide medical assistance coverage of adult day care in 3 or 4 counties. The department shall implement the project if the waiver is granted and sufficient funds are available.

SECTION 442. 49.455 (3) (b) (intro.) of the statutes is amended to read:

49.455 (3) (b) (intro.) Notwithstanding ch. 766, after an institutionalized spouse is determined to be eligible for medical assistance for the purposes of sub. (4), the following criteria apply in determining the income of an institutionalized spouse or a community spouse:

SECTION 445. 49.455 (5) (a) 1 of the statutes is amended to read:

49.455 (5) (a) 1. The department shall determine the total value of the ownership interest of the institutionalized spouse plus the ownership interest of the community spouse in resources as of the beginning of a the first continuous period of institutionalization beginning after September 29, 1989. The spousal share of resources equals one-half of that total value.

SECTION 446. 49.455 (5) (a) 2 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

49.455 (5) (a) 2. At the beginning of a the first continuous period of institutionalization beginning after September 29, 1989, upon the request of an institutionalized spouse or a community spouse and the receipt of necessary documentation, the department shall assess and document the total value of resources under subd. 1 and shall provide a copy of the assessment and documentation to each spouse and retain a copy for departmental use. If the request is not part of an application for medical assistance, the department may charge a fee not exceeding the reasonable expenses of providing and documenting the assessment. When the department provides a copy of an assessment, it shall provide notice that a spouse has the right to a fair hearing under sub. (8) after an application for medical assistance is filed.

SECTION 447. 49.455 (6) (a) of the statutes is amended to read:

49.455 (6) (a) Notwithstanding s. 49.45 (17) (b), an institutionalized spouse may transfer an amount of resources equal to the community spouse resource allowance determined under par. (b) to, or for the sole benefit of, the community spouse. The institutionalized spouse shall make the transfer as soon as practicable after the initial determination of eligibility for medical assistance, taking into account the amount of time that is necessary to obtain a court order under par. (c).

SECTION 449k. 49.46 (1) (a) 13 of the statutes is created to read:

49.46 (1) (a) 13. Any child who is under one year of age, whose mother was determined to be eligible under subd. 9 and who lives with his or her mother.

SECTION 449Lm. 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. (i).~~

SECTION 449m. 49.46 (2) (a) 4. d. of the statutes is amended to read:

49.46 (2) (a) 4. d. Home health services, ~~including supervisory visits by registered nurses,~~ or nursing services if a home health agency is unavailable.

SECTION 449n. 49.46 (2) (b) 6. e. of the statutes is amended to read:

49.46 (2) (b) 6. e. Inpatient hospital, ~~subject to the limitations under par. (i),~~ skilled nursing facility and intermediate care facility services for patients of any institution for mental diseases who are under 21 years of age, are under 22 years of age and who were receiving these services immediately prior to reaching age 21, or are 65 years of age or older.

SECTION 449pc. 49.46 (2) (i) of the statutes is repealed.

SECTION 450. 49.465 (2) (intro.) and (a) of the statutes are amended to read:

49.465 (2) (intro.) 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) (am) or (c) 1 and ending ~~on the earliest of the following as follows:~~

(a) ~~The~~ If the woman applies for benefits under s. 49.46 or 49.47 within the time required under sub. (4), 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.

SECTION 451. 49.465 (2) (b) of the statutes is repealed.

SECTION 452. 49.465 (2) (c) of the statutes is amended to read:

49.465 (2) (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 woman applies for benefits under s. 49.46 or 49.47,~~ within the time required under sub. (4), the last day of the month following the month in which the provider makes the determination under this subsection.

SECTION 453. 49.465 (4) of the statutes is amended to read:

49.465 (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 woman applies for benefits under s. 49.46 or 49.47,~~ last day of the month following the month in which the qualified provider makes that determination.

SECTION 454. 49.468 (1) (e) of the statutes is created to read:

49.468 (1) (e) In determining under this subsection the income of an individual who is entitled to a monthly social security benefit under 42 USC 401 to 433, the department shall exclude, from December until the month after the month in which the annual revision of the poverty line is published, the amount of the social security benefit attributable to a cost-of-living increase under 42 USC 415 (i).

SECTION 455. 49.47 (3) (c) of the statutes is amended to read:

49.47 (3) (c) The department shall simplify applications for benefits for pregnant women and children under sub. (4) ~~(am)~~ and shall make the simplified applications available in the offices of health care providers of pregnancy related services.

~~SECTION 455g. 49.47 (4) (am) 1 of the statutes is amended to read:~~

~~49.47 (4) (am) 1. A pregnant woman whose family income does not exceed 155% 165% of the poverty line for a family the size of the woman's family.~~

~~SECTION 455h. 49.47 (4) (am) 1m of the statutes is created to read:~~

~~49.47 (4) (am) 1m. Beginning on July 1, 1993, a child who is under one year of age and whose family income does not exceed 155% of the poverty line for a family the size of the child's family.~~

~~SECTION 455i. 49.47 (4) (am) 2 of the statutes is amended to read:~~

~~49.47 (4) (am) 2. A child who is at least one year of age but under 6 years of age and whose family income does not exceed 155% of the poverty line for a family the size of the child's family.~~

SECTION 455j. 49.47 (4) (am) 3 of the statutes is created to read:

49.47 (4) (am) 3. A child who is under one year of age, whose mother was determined to be eligible under subd. 1 and who lives with his or her mother.

~~SECTION 455k. 49.47 (4) (g) of the statutes is amended to read:~~

~~49.47 (4) (g). If a child eligible for benefits under par. (am) 1m or 2 is receiving inpatient services covered under sub. (6) on the day before the birthday on which the child attains the age of 6 at which he or she would become ineligible under par. (am) 1m or 2 and, but for attaining that age, the child would remain eli-~~

Vetoed
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gible for benefits under par. (am) 1m or 2, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

SECTION 455m. 49.47 (4) (i) of the statutes is created to read:

49.47 (4) (i) The department shall request a waiver from the secretary of the federal department of health and human services to allow, beginning on July 1, 1993, the use of federal matching funds for providing medical assistance coverage under par. (am) 1 and 1m to individuals whose family incomes do not exceed 185% of the poverty line. If the waiver is granted, the income limit under par. (am) 1 and 1m is 185% of the poverty line beginning on July 1, 1993.

SECTION 455u. 49.496 (2) (f) 4 of the statutes is created to read:

49.496 (2) (f) 4. A sibling who resides in the home, if the sibling resided in the home for at least 12 months before the recipient was admitted to the nursing home.

SECTION 456. 49.496 (3) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

49.496 (3) (a) The department may file a claim against the estate of a recipient or against the estate of the surviving spouse of a recipient for the amount of medical assistance paid on behalf of the recipient while the recipient resided in a nursing home ~~or after the recipient attained age 65~~. The affidavit of a person designated by the secretary to administer this subsection is evidence of the amount of the claim.

SECTION 464m. 49.52 (1) (d) of the statutes, as affected by 1991 Wisconsin Act 39, section 1582h, is amended to read:

49.52 (1) (d) From the appropriations under s. 20.435 (3) ~~(oo)~~ and (7) (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, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1), (3), (4) (a) 1 and (b) 1 and (5) (e) 1 and 3. Before January 1, 1992, 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. Beginning January 1, 1992, each county's required match for a year equals a percentage of the county's allocation for that year. The Beginning January 1, 1992, that percentage is obtained by dividing the total matching funds required from counties in 1991 by the total amount of funds allocated to counties in 1991 under s. 20.435 (3) (oo) and (7) (b); and (o) and (of) and under s. 20.435 (3) (cd), 1989 stats., and s. 46.48 (4), 1989 stats. Beginning January 1, 1993, that percentage is obtained by dividing the total matching funds required from counties in 1992 by the total amount of funds allocated to counties in 1992 under s.

20.435 (7) (b) and (o) and under s. 46.48 (4), 1989 stats. 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 465im. 50.04 (2r) of the statutes is amended to read:

50.04 (2r) ADMISSIONS REQUIRING APPROVAL. Except in an emergency, a nursing home that is not certified as a provider of medical assistance or that is an intermediate care facility for the mentally retarded, as defined in s. 46.278 (1m) ~~(a)~~ (am), or an institution for mental diseases, as defined under 42 CFR 435.1009, may not admit as a resident an individual who has a developmental disability, as defined in s. 51.01 (5), or who is both under age 65 and has mental illness, as defined in s. 51.01 (13), unless the county department under s. 46.23, 51.42 or 51.437 of the individual's county of residence has recommended the admission.

SECTION 465j. 50.14 of the statutes is created to read:

50.14 Assessments on occupied, licensed beds. (1) In this section:

(a) Notwithstanding s. 50.01 (1m), "facility" means a nursing home or an intermediate care facility for the mentally retarded, which is not state-owned or state-operated, federally owned or federally operated or located outside the state.

(b) "Intermediate care facility for the mentally retarded" has the meaning given under 42 USC 1396d (c) and (d).

(2) For the privilege of doing business in this state, there is imposed on all occupied, licensed beds of a facility, except occupied, licensed beds for which payment is made under 42 USC 1395 to 1395ccc, an assessment in fiscal year 1992-93 that shall be deposited in the general fund and that is \$68 per calendar month per occupied, licensed bed of an intermediate care facility for the mentally retarded and is \$32 per calendar month per occupied, licensed bed of a ~~community-based residential facility that is certified by the department as a provider of medical assistance or of a nursing home~~. The assessment shall be on the average number of occupied, licensed beds of a facility for the calendar month previous to the month of assessment, based on an average daily midnight census computed and reported by the facility and verified by the department. Charged bed-hold days for any resident of a facility shall be included as one full day in the average daily midnight census. In determining the number of occupied, licensed beds, if the amount of the beds is

Vetoed
in Part

other than a whole number the fractional part of the amount shall be disregarded unless it equals 50% or more of a whole number, in which case the amount shall be increased to the next whole number.

(3) By October 31, 1992, each facility shall submit to the department the facility's occupied licensed bed count and the amount due under sub. (2) for each occupied licensed bed of the facility for each month for the period from July 1, 1992, to September 30, 1992. Thereafter, by the end of each month each facility shall submit its bed count and payment for the month preceding the month during which the bed count and payment are being submitted. The department shall verify the bed count and, if necessary, make adjustments to the payment, notify the facility of changes in the bed count or payment and send the facility an invoice for the additional amount due or send the facility a refund.

(4) Sections 77.59 (1) to (5), (6) (intro.), (a) and (c) and (7) to (10), 77.60 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the assessment under this section.

(5) (a) The department shall levy, enforce and collect the assessment under this section and shall develop and distribute forms necessary for levying and collection.

(b) The department shall promulgate rules that establish procedures and requirements for levying the assessment under this section.

(6) (a) An affected facility may contest an action by the department under this section by submitting a written request for a hearing to the department within 30 days after the date of the department's action.

(b) Any order or determination made by the department under a hearing as specified in par. (a) is subject to judicial review as prescribed under ch. 227.

**Vetoed
in Part**

~~SECTION 465km. 50.36 (3m) of the statutes is amended to read:~~

~~50.36 (3m) The department shall require a hospital that is accredited as a hospital by a private accrediting organization to submit to the department a copy of the summary accreditation recommendation and may require the hospital to submit to the department copies of all correspondence sent or received on or after August 30, 1989, including survey results, between the hospital and the accrediting organization. Accreditation letters, reports and related correspondence submitted to the department, except those submitted by a county mental health complex under s. 51.06, under this subsection are not subject to inspection, copying or receipt under s. 19.35 (1) (a) and may not be released by the department.~~

**Vetoed
in Part**

~~SECTION 465k. 50.51 (1) (d) of the statutes is amended to read:~~

~~50.51 (1) (d) If a person or establishment licensed under ch. 97 is incidentally engaged in an activity for which a permit is required under this section, the department may, by rule, exempt the person or estab-~~

~~ishment from the permit requirement under this section. Rules under this paragraph shall conform to a memorandum of understanding between the department and the department of agriculture, and trade and consumer protection.~~

**Vetoed
in Part**

~~SECTION 465km. 50.535 (2) (am) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~50.535 (2) (am) 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 and public swimming pools. 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 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. The department shall coordinate the designation of agents under this subsection with the department of agriculture and trade 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 August 1, 1987, 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 August 1, 1987, 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 465m. 51.039 of the statutes is created to read:~~

**Vetoed
in Part**

~~51.039 Partial hospitalization programs; certification. (1) In this section:~~

~~(a) "Partial hospitalization program" means a program that provides partial hospitalization services.~~

~~(b) "Partial hospitalization services" means active treatment for mental illness or alcohol or other drug abuse, under which intensive, coordinated and structured clinical services are provided to a patient for at least 3, but not more than 8, consecutive hours in a 24-hour period and that does not include an overnight stay.~~

Vetoed
in Part

(2) No person may conduct, maintain or operate a partial hospitalization program unless the partial hospitalization program is certified by the department.

(3) Beginning January 1, 1993, the department shall certify partial hospitalization programs that apply for certification and satisfy certification standards in rules promulgated by the department. The department may inspect or investigate a certified partial hospitalization program at any time and shall inspect and review the program at least once every 24 months after the date of initial certification to determine whether the program continues to satisfy the standards for certification. The department may, after providing notice, suspend, revoke or refuse to renew the certification of a partial hospitalization program that the department finds fails to satisfy certification standards. Unless sooner revoked or suspended, a partial hospitalization program certificate is valid for 12 months after the date of issuance.

(4) The department shall promulgate rules that establish procedures for initial certification application and certification renewal under sub. (3), and, after considering the standards established by the American association for partial hospitalization, Inc., shall promulgate rules that establish standards for certification of partial hospitalization programs. The standards for certification shall include all of the following requirements:

(a) That the partial hospitalization program is clinically supervised by a psychiatrist, as defined in s. 146.34 (1) (b), who is certified by the American board of psychiatry and neurology.

(b) That the partial hospitalization program is conducted in a facility that is accredited by the joint commission for the accreditation of hospitals.

SECTION 465mc. 51.37 (10) (a) of the statutes is renumbered 51.37 (10) (am).

SECTION 465me. 51.37 (10) (a) of the statutes is created to read:

51.37 (10) (a) In this subsection:

1. "Crime" has the meaning designated in s. 949.01 (1).
2. "Extended home visit or leave" means a home visit or leave lasting 24 hours or longer.
3. "Member of the family" means spouse, child, sibling, parent or legal guardian.
4. "Victim" means a person against whom a crime has been committed.

SECTION 465mg. 51.37 (10) (dg) of the statutes is created to read:

51.37 (10) (dg) If the department grants a patient an extended home visit or leave under this subsection, the department shall notify the following, if they can be found, in accordance with par. (dm):

1. The office of the judge who committed the patient.
2. The office of the district attorney who participated in the commitment proceedings.

3. The victim of the crime committed by the patient or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, after the submission of a card under par. (dx) requesting notification.

SECTION 465mi. 51.37 (10) (dm) of the statutes is created to read:

51.37 (10) (dm) 1. The notice under par. (dg) shall inform the offices and person under par. (dg) 1 to 3 of the patient's name and of the date the patient will begin the home visit or leave. The department shall provide notice under this paragraph for a patient's first extended home visit or leave and, upon request, for subsequent extended home visits or leaves.

2. The department shall send the notice, post-marked at least 7 days before the patient begins the extended home visit or leave, to the last-known address of the offices and person under par. (dg) 1 to 3.

3. If the notice is for a first extended home visit or leave, the notice shall inform the offices and person under par. (dg) 1 to 3 that notification of subsequent extended home visits or leaves will be provided only upon request.

SECTION 465mk. 51.37 (10) (dx) of the statutes is created to read:

51.37 (10) (dx) The department shall design and prepare cards for persons specified in par. (dg) 3 to send to the department. The cards shall have space for these persons to provide their names and addresses, the name of the applicable patient and any other information the department determines is necessary. The department shall provide the cards, without charge, to district attorneys. District attorneys shall provide the cards, without charge, to persons specified in par. (dg) 3. These persons may send completed cards to the department. All departmental records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1).

SECTION 465mm. 51.37 (10) (e) of the statutes is amended to read:

51.37 (10) (e) The director of the facility in which the patient under par. (a) (am) is detained or committed shall notify ~~the committing court and~~ the appropriate correctional officers of the department of corrections of the intention to grant a home visit or leave under this subsection at least 20 days prior to the departure of the patient from the facility.

SECTION 465mn. 51.423 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

51.423 (2) From the appropriations under s. 20.435 (7) (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 s. 46.40.

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County matching funds are required for the allocations under s. 46.40 (1); and (5) (e) 1 and 3. Before January 1, 1992, 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. Beginning January 1, 1992, each county's required match for a year equals a percentage of the county's allocation for that year. The Beginning January 1, 1992, that percentage is obtained by dividing the total matching funds required from counties in 1991 by the total amount of funds allocated to counties in 1991 under s. 20.435 (3) (oo) and (7) (b); and (o) and (of) and under s. 20.435 (3) (cd), 1989 stats., and s. 46.48 (4), 1989 stats. Beginning January 1, 1993, that percentage is obtained by dividing the total matching funds required from counties in 1992 by the total amount of funds allocated to counties in 1992 under s. 20.435 (7) (b) and (o) and under s. 46.48 (4), 1989 stats. 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 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 466g. 51.44 (3) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

51.44 (3) (a) From the appropriations under s. 20.435 ~~(6) (m) and (7) (bt) and (ma) (nL)~~ the department shall allocate in fiscal year 1991-92 funds for activities required for participation under 20 USC 1475 (b), and from the appropriation under s. 20.435 (7) (bt) the department shall allocate in fiscal year 1992-93 funds for activities required for participation under 20 USC 1475 (c). Of these funds, if the federal department of education awards the state a grant under 20 USC 1475 (c), the department shall allocate \$375,000 funds from the appropriation under s. 20.435 (7) (ma) (nL) and all of the funds from the appropriation under s. 20.435 (7) (bt) to counties to provide or contract for the provision of early intervention services to individuals eligible to receive the early intervention services.

SECTION 466i. 51.44 (3) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

51.44 (3) (b) Funds that are allocated to counties under par. (a) may not be used to supplant funding from any other source or to supplant funding previously received in the same fiscal biennium under par. (a).

SECTION 466j. 51.44 (5) (c) of the statutes is created to read:

51.44 (5) (c) ~~By March 1 and September 1 annually,~~ **Vetoed in Part**
submit to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) a report on the department's progress toward full implementation of the program under this section, including specific documentation of the progress of counties in implementing goals for participation in 5th-year requirements under 20 USC 1476. **Vetoed in Part**

SECTION 469. 55.06 (10) (b) of the statutes is amended to read:

55.06 (10) (b) The department, an agency, a guardian or a ward, or any other interested person may at any time petition the court for modification or termination of a protective placement. The A petition to terminate a protective placement shall allege that the conditions which warranted placement as specified in sub. (2) are no longer present. A petition shall be heard if a hearing has not been held within the previous 6 months but a hearing may be held at any time in the discretion of the court. Such The petition shall be heard within 21 days of its receipt by the court.

~~SECTION 469m. 58.07 (l) of the statutes is amended to read:~~ **Vetoed in Part**

~~58.07 (l) The board or council of any town, village, city or county may appoint one or more humane officers and may appropriate money to carry on such programs and pay such salaries as the board or council deems necessary. Humane officers shall serve until their appointments are terminated by the board or council. The board or council shall report all appointments and terminations of appointments to the department of agriculture, and trade and consumer protection. Before appointing any humane officer the board or council shall secure the recommendations of any humane society existing within such county or municipality. The board or council may appropriate to humane societies any sums of money deemed needed for the prosecution within their respective boundaries of the work for which they were organized.~~

SECTION 469mm. 59.031 (5) of the statutes is amended to read:

59.031 (5) MESSAGE TO THE COUNTY BOARD; SUBMISSION OF ANNUAL BUDGET. The county executive shall annually and otherwise as may be necessary, communicate to the ~~county board of supervisors~~ the condition of the county, and shall recommend such matters to them the board for their its consideration as he may deem or she considers expedient. Notwithstanding any other provision of the law, he or she shall be responsible for the submission of the annual budget to the county board and may exercise the power to veto any increases or decreases in the budget under sub. (6). **Vetoed in Part**

SECTION 469p. 59.07 (135) (q) of the statutes is created to read:

59.07 (135) (q) Impose fees, in addition to fees imposed under ch. 144, upon persons who dispose of solid waste at publicly owned solid waste disposal sites in the county for the purpose of cleaning up closed or

abandoned solid waste disposal sites within the county, subject to all of the following conditions:

1. The fees are based on the amount of solid waste disposed of by each person.
2. The fees may not exceed 20% of the amount charged for the disposal of the solid waste.
3. The effective date of the fees and any increase in the fees is January 1 and is at least 120 days after the date on which the board adopts the fee increase.
4. The cleanup is conducted under the supervision of the department of natural resources.
5. The county board of supervisors may prevent the implementation of, or may terminate, fees imposed by the solid waste management board.

Vetoed in Part SECTION 470m. 59.76 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

~~59.76 (2) No action may be brought or maintained against a county, for disclosure of information received under s. 342.20 (3) and maintained under s. 342.20 (4) or received under s. 30.572 (4) and maintained under s. 30.572 (5).~~

Vetoed in Part SECTION 470p. 59.871 (1) of the statutes is amended to read:

~~59.871 (1) The board may appropriate money for the control of insect and worm pests, weeds, or plant or animal diseases within the county, and select from its members a committee which, upon advice from the county agent that an emergency exists because of the destruction which is being or may be wrought to farm lands, livestock or crops in the county by any such pests, may take steps necessary to suppress and control such pests. The clerk shall within 10 days notify the department of agriculture, and trade and consumer protection of such appropriation and of the members of such committee. The state entomologist and said department shall cooperate with such committee in the execution of measures necessary for the suppression and control of such pests.~~

SECTION 473m. 59.97 (2) (a) 3 of the statutes is created to read:

59.97 (2) (a) 3. If a county planning and zoning commission is created under subd. 2, the county executive may appoint, for staggered 3-year terms, 2 alternate members of the commission, subject to confirmation by the board. Annually, the county executive shall designate one of the alternate members as first alternate and the other as 2nd alternate. The first alternate shall act, with full power, only when a member of the commission refuses to vote because of a conflict of interest or when a member is absent. The 2nd alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than one member of the commission refuses to vote because of a conflict of interest or is absent.

SECTION 474. 59.972 of the statutes is created to read:

59.972 Zoning of shorelands for Trenton island in Pierce county. (1) An ordinance enacted under s. 59.971 that applies to Trenton island in Pierce county may not limit the cost of any reconstruction, alteration or repair of, or addition to, any structure on the island that does not conform with the ordinance, except as provided in sub. (2).

(2) (a) For a structure not covered under par. (b), an ordinance enacted under s. 59.971 may require that the cost of an alteration or repair of, or an addition to, a structure that does not conform with the ordinance may not exceed 50% of the structure's market value on the date on which the alteration, repair or addition begins.

(b) For structures that have been destroyed or that have been so severely damaged that they cannot be repaired, and that did not conform with the ordinance enacted under s. 59.971, an ordinance under s. 59.971 may require that the cost of the reconstruction of the structure may not exceed 150% of the structure's market value on the date immediately before the destruction or damage occurred.

(c) An ordinance enacted under s. 59.971 may not impose the limitations under pars. (a) and (b) if, as a result of the alteration, repair, addition or reconstruction, the structure will conform with all of the provisions of the ordinance enacted under s. 59.971.

~~SECTION 474g. 60.565 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~**60.565 Ambulance service.** The town board shall contract for or operate and maintain ambulance services unless such services are provided by another person. If the town board contracts for ambulance services, it may contract with one or more providers. The town board may determine and charge a reasonable fee for ambulance service provided under this section. The town board may purchase equipment for medical and other emergency calls. A town may obtain reimbursement for ambulance or other transportation service costs of county jail prisoners under s. 302.38 (3) (b).~~

~~SECTION 474m. 61.72 of the statutes is amended to read:~~

~~**61.72 Pest and disease prevention.** When a village board shall appropriate money for the control of insect pests, weeds, or plant or animal diseases, the department of agriculture, and trade and consumer protection upon request of the village board shall cooperate with the village and shall provide technical assistance and direction for the expenditure of such funds.~~

SECTION 474ng. 64.09 (5) of the statutes is amended to read:

64.09 (5) ~~The~~ Except as provided in s. 19.36 (7), the applications, records, recommendations and qualifications of all applicants for the office of city manager shall be immediately placed and thereafter kept on file and shall be matters of public record and open to the

Vetoed in Part

Vetoed in Part

examination and inspection of the public at all reasonable times.

SECTION 474nh. 64.11 (7) of the statutes is amended to read:

64.11 (7) ~~The~~ Except as provided in s. 19.36 (7), the applications, records, recommendations and qualifications of all applicants shall be immediately placed and thereafter kept on file and shall be matters of public record subject to the examination and inspection of the public at all reasonable times.

SECTION 474p. 66.02 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.02 Consolidation. ~~Any~~ Subject to s. 66.023 (7), any town, village or city may be consolidated with a contiguous town, village or city, by ordinance, passed by a two-thirds vote of all the members of each board or council, fixing the terms of the consolidation and ratified by the electors at a referendum held in each municipality. The ballots shall bear the words, "for consolidation", and "against consolidation", and if a majority of the votes cast thereon in each municipality are for consolidation, the ordinances shall then be in effect and have the force of a contract. The ordinance and the result of the referendum shall be certified as provided in s. 66.018 (5); if a town the certification shall be preserved as provided in ss. 60.03 and 66.018 (5), respectively. Consolidation shall not affect the preexisting rights or liabilities of any municipality and actions thereon may be commenced or completed as though no consolidation had been effected. Any consolidation ordinance proposing the consolidation of a town and another municipality shall, within 10 days after its adoption and prior to its submission to the voters for ratification at a referendum, be submitted to the circuit court and the department of administration for a determination whether such proposed consolidation is in the public interest. The circuit court shall determine whether the proposed ordinance meets the formal requirements of this section and shall then refer the matter to the department of administration, which shall find as prescribed in s. 66.014 whether the proposed consolidation is in the public interest in accordance with the standards in s. 66.016. The department's findings shall have the same status as incorporation findings under ss. 66.014 to 66.019.

SECTION 474q. 66.021 (2) (intro.) of the statutes is amended to read:

66.021 (2) METHODS OF ANNEXATION. (intro.) ~~Territory~~ Subject to s. 66.023 (7), territory contiguous to any city or village may be annexed thereto in the following ways:

SECTION 474r. 66.022 (intro.) of the statutes is amended to read:

66.022 Detachment of territory. (intro.) ~~Territory~~ Subject to s. 66.023 (7), territory may be detached from any city or village and be attached to any city, village or town, to which it is contiguous, in the following manner:

SECTION 474s. 66.023 of the statutes is created to read:

66.023 Boundary change pursuant to approved cooperative plan. (1) DEFINITIONS. In this section:

(a) "Department" means the department of administration.

(b) "Municipality" means a city, village or town.

(2) BOUNDARY CHANGE AUTHORITY. Any combination of municipalities may determine the boundary lines between themselves under a cooperative plan that is approved by the department under this section. No boundary of a municipality may be changed or maintained under this section unless the municipality is a party to the cooperative agreement. The cooperative plan shall provide one or more of the following:

(a) That specified boundary line changes shall occur during the planning period and the dates by which the changes shall occur.

(b) That specified boundary line changes may occur during the planning period and the dates by which the changes may occur.

(c) That a required boundary line change under par. (a) or an optional boundary line change under par. (b) shall be subject to the occurrence of conditions set forth in the plan.

(d) That specified boundary lines may not be changed during the planning period.

(3) COOPERATIVE PLAN. (a) *Who may prepare plan.* The municipalities that propose to set the boundary lines between themselves under this section shall prepare a cooperative plan.

(b) *Purpose of plan.* The cooperative plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory covered by the plan which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.

(c) *Content of plan; physical development of territory.* The cooperative plan, and any accompanying maps, plats, charts and descriptive and explanatory materials, shall show the plan agreed upon for the physical development of the territory covered by the plan. The plan may include, without limitation because of enumeration, any of the following:

1. The general location, character and extent of streets, highways, freeways, street grades, roadways, walks, bridges, viaducts, parking areas, tunnels, public places and areas, parks, parkways and playgrounds.

2. Sites for public buildings and structures, airports, pierhead and bulkhead lines and waterways.

3. Routes for railroads and buses.

4. The general location and extent of sewers, water conduits and other public utilities, whether privately or publicly owned.

5. The acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals described in subds. 1 to 4.

6. Historic districts.

7. The general location, character and extent of community centers and neighborhood units.

8. The general character, extent and layout of the replanning of blighted districts and slum areas.

9. A comprehensive zoning plan.

(d) *Content of plan; boundaries and services.* The cooperative plan shall:

1. Identify any boundary change and any existing boundary that may not be changed during the planning period.

2. Identify any conditions that must be met before a boundary change may occur.

3. Include a schedule of the period during which a boundary change shall or may occur.

4. Include a statement explaining how any part of the plan related to the location of boundaries meets the approval criteria under sub. (5) (c) 4 and 5.

5. Describe the services to be provided to the territory covered by the plan, identify the providers of those services and indicate whether the provision of any service has received preliminary approval of any relevant governmental regulatory authority.

6. Include a schedule for delivery of the services described under subd. 5.

7. Include a statement explaining how provision under the plan for the delivery of necessary municipal services to the territory covered by the plan meets the approval criterion under sub. (5) (c) 3.

8. Designate the municipalities that are participating in the cooperative plan and that are required to ratify any boundary changes by enacting an ordinance under sub. (10).

(dm) *Content of plan; environmental consequences and housing needs.* The cooperative plan shall:

1. Identify any significant adverse consequences to the natural environment, including air and water pollution, energy use, development outside compact urban areas and contribution to urban sprawl, that may be caused by the proposed physical development of the territory covered by the plan.

2. Demonstrate that each participating municipality has considered alternatives to the proposed physical development of the territory covered by the plan, in order to minimize or avoid significant adverse environmental consequences, including those under subd. 1, and include in the plan a description of the alternatives considered.

3. If the physical development of the territory covered by the plan is subject to federal environmental laws or regulations, state laws or state environmental rules, describe how compliance with the laws, regulations or rules will be achieved.

4. Address the need for safe and affordable housing to meet the needs of diverse social and income groups in each municipality that is participating in the preparation of the plan.

5. Include a statement of why the cooperative plan meets the approval criterion under sub. (5) (c) 5m.

(e) *Content of plan; compatibility with existing law.* The cooperative plan shall describe how the plan is consistent with current state and federal laws, municipal regulations and administrative rules that apply to the territory affected by the plan.

(f) *Content of plan; planning period.* The cooperative plan shall specify the duration of the proposed planning period, which shall be for a period of 10 years, except that the duration of the proposed planning period may be for a period greater than 10 years, but not for a period greater than 20 years, if a duration greater than 10 years is approved by the department.

(h) *Existing plans may be used.* A cooperative plan may be based on, contain elements of or duplicate any existing plan for the same territory.

(4) PROCEDURE FOR ADOPTING COOPERATIVE PLAN.

(a) *Authorizing resolution.* Each municipality that intends to participate in the preparation of a cooperative plan under this section shall adopt a resolution authorizing participation in the preparation of the plan. Notice of each resolution shall be given in writing, within 5 days after the resolution is adopted, to all of the following:

1. The department, the department of natural resources and the department of transportation.

2. The clerks of any municipality, school district, vocational, technical and adult education district, sewerage district or sanitary district which has any part of its territory within 5 miles of a participating municipality.

3. The clerk of each county in which a participating municipality is located.

4. Any county zoning agency under s. 59.97 (2) or regional planning commission whose jurisdiction includes a participating municipality.

(b) *Public hearing.* At least 120 days after adoption under par. (a) of the last resolution by a participating municipality and at least 60 days before submitting a cooperative plan to the department for review and approval under sub. (5), the participating municipalities shall hold a joint hearing on the proposed plan. Notice of the hearing shall be given by each participating municipality by class 3 notice under ch. 985.

(c) *Comment on plan.* Any person may comment on the plan during the hearing and may submit written comments at any time. All comments shall be considered by each participating municipality. Any county zoning agency under s. 59.97 (2) or regional planning commission whose jurisdiction includes any participating municipality shall comment in writing on the plan's effect on the master plan adopted by the regional planning commission under s. 66.945 (9), or

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development plan adopted by the county board or county planning agency under s. 59.97 (3), and on the delivery of municipal services, and may comment on any other aspect of the plan. Any county in the regional planning commission's jurisdiction may submit comments on the effect of the cooperative plan on the master plan adopted under s. 66.945 (9) and on the delivery of county services or on any other matter related to the plan.

(d) *Adoption of final plan.* 1. Subject to subd. 2, after the public hearing under par. (b) and consideration of comments made on the proposed cooperative plan, the plan participants may revise the plan in response to the comments and may, by resolution adopted by each participating municipality, adopt a final version of the plan.

2. If within 30 days after the public hearing under par. (b) a petition opposing the plan, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in the municipality at the last gubernatorial election, is filed with the clerk of a participating municipality, the final version of the plan may be adopted in that municipality only by an affirmative vote of three-fourths of the members of the municipality's governing body who are present and voting. The petition shall conform to the requirements of s. 8.40.

(e) *Advisory referendum.* 1. Within 30 days after adoption of a final plan under par. (d), the governing body of a participating municipality may adopt a resolution calling for an advisory referendum on the plan. An advisory referendum shall be held if, within 30 days after adoption of the final plan under par. (d), a petition, signed by a number of qualified electors equal to at least 10% of the votes cast for governor in the municipality at the last gubernatorial election, is filed with the clerk of a participating municipality, requesting an advisory referendum on the cooperative plan. The petition shall conform to the requirements of s. 8.40.

2. The advisory referendum shall be held within 30 days after adoption of the resolution under subd. 1 calling for the referendum or within 30 days after receipt of the petition by the municipal clerk. The municipal clerk shall give notice of the referendum by publishing a notice in a newspaper of general circulation in the municipality, both on the publication day next preceding the advisory referendum election and one week prior to that publication date.

3. The advisory referendum shall be conducted by the municipal election officials. The governing body of the municipality may specify the number of election officials for the referendum. The ballots shall contain the words "For the cooperative plan" and "Against the cooperative plan" and shall otherwise conform to the provisions of s. 5.64 (2). The election shall be conducted as are other municipal elections in accordance with chs. 6 and 7, insofar as applicable.

4. The election inspectors shall report the results of the election, showing the total number of votes cast

and the numbers cast for and against the cooperative plan. The election inspectors shall attach their affidavit to the report and immediately file the report in the office of the municipal clerk. The election inspector shall file a certified report of the results in the office of the clerk of each municipality that is a party to the cooperative plan.

5. The costs of the advisory referendum election shall be borne by the municipality that holds the election.

(f) *Submittal of final plan to department.* If no advisory referendum is held under par. (e), the plan participants may submit the final version of the cooperative plan to the department for approval under sub. (5) at least 60 days but not more than 180 days after the public hearing under par. (b). If an advisory referendum is held under par. (e), each participating municipality shall determine, by resolution, whether to submit the final version of the cooperative plan to the department for approval under sub. (5). The resolution shall be adopted within 60 days after the last advisory referendum is held. If any of the plan participants fails or refuses to approve submittal of the cooperative plan to the department, the plan may not be submitted. Any written comment received by a participating municipality on any version of the cooperative plan shall be submitted to the department at the time that the cooperative plan is submitted. If the cooperative plan is not submitted to and approved by the department, it may not be implemented under this section by any of the participating municipalities.

(5) DEPARTMENT REVIEW AND APPROVAL OF LOCAL OR COOPERATIVE PLAN. (a) *Generally.* The department shall make a written determination of whether to approve a cooperative plan within 90 days after receiving the plan unless the department and the parties to the plan agree to a longer determination period. The department shall consider written comment on the plan received by a municipality under sub. (4) (c) that is submitted to the department under sub. (4) (f) or from any other source. The department may request information relating to the cooperative plan, including any comprehensive plan or land use plan currently being utilized by any participating municipality, from that municipality, and from any county or regional planning commission. The department may seek and consider comments from any state agency on whether the cooperative plan is consistent with state laws and administrative rules under the agency's jurisdiction. Any state agency requested to comment on a cooperative plan shall comply with the request. The department shall issue its determination of whether to approve the cooperative plan in writing, supported by specific findings based on the criteria under par. (c). The approval or disapproval of a cooperative plan by the department under this section is not a contested case, as defined in s. 227.01 (3), for purposes of ch. 227.

(b) *Hearing.* Any person may request a public hearing before the department on a cooperative plan

submitted to the department for approval. A request for a public hearing shall be in writing and shall be submitted to the department within 10 days after the cooperative plan is received by the department. If requested, the department shall, and on its own motion the department may, hold a public hearing on the cooperative plan. If requested to hold a public hearing, the department is required to hold only one hearing, regardless of the number of requests for a hearing. Any public hearing under this paragraph shall be held in a municipality that is a party to the cooperative plan.

(c) *Approval of cooperative plan.* A cooperative plan shall be approved by the department if the department determines that all of the following apply:

1. The content of the plan under sub. (3) (c) to (e) is sufficient to enable the department to make the determinations under subs. 2 to 5m.

2. The cooperative plan is consistent with current state laws, municipal regulations and administrative rules that apply to the territory affected by the plan.

3. Adequate provision is made in the cooperative plan for the delivery of necessary municipal services to the territory covered by the plan.

4. Any boundary maintained or any boundary change under the cooperative plan is reasonably compatible with the characteristics of the surrounding community, taking into consideration present and potential transportation, sewer, water and storm drainage facilities and other infrastructure, fiscal capacity, previous political boundaries, boundaries of school districts and shopping and social customs.

5. The shape of any boundary maintained or any boundary change under the cooperative plan is not the result of arbitrariness and reflects due consideration for compactness of area. Considerations relevant to the criteria under this subdivision include quantity of land affected by the boundary maintenance or boundary change and compatibility of the proposed boundary maintenance or boundary change with natural terrain including general topography, major watersheds, soil conditions and such features as rivers, lakes and major bluffs.

5m. The cooperative plan adequately identifies and addresses the significant adverse environmental consequences to the natural environment that may be caused by the proposed physical development of the territory covered by the plan, the municipalities submitting the plan have adequately identified and considered alternatives to minimize or avoid the significant adverse environmental consequences, the proposals in the plan for compliance with federal environmental laws or regulations and state environmental laws or rules are adequate and the need for safe and affordable housing for a diversity of social and income groups in each community has been met.

6. Any proposed planning period exceeding 10 years is consistent with the plan.

(d) *Return and resubmittal of plan.* The department may return a cooperative plan, with comments, if the department determines that the cooperative plan, if revised, may constitute a plan that can be approved by the department. If a cooperative plan is returned under this paragraph, each participating municipality may revise the plan, as directed by the department, adopt the revised plan by resolution and resubmit the plan to the department within 90 days after the plan is returned. After receiving a resubmitted cooperative plan, the department shall make a determination on approval within 30 days.

(6) **BINDING ELEMENTS OF COOPERATIVE PLAN.** If a cooperative plan is approved by the department under sub. (5) or an amended plan is approved under sub. (8), provisions in the plan to maintain existing boundaries, the boundary changes in the plan, the schedule for those changes, the plan for delivery of services and the schedule for those services are binding on the parties to the plan and have the force and effect of a contract.

(7) **APPLICABILITY OF OTHER BOUNDARY PROCEDURES.** During the planning period specified under sub. (3) (f), no other procedure for altering a municipality's boundaries may be used to alter the boundary of a municipality that is a party to the cooperative plan, except if an annexation is conducted under s. 144.07 (1m), regardless of whether the boundary is proposed to be maintained or changed or is allowed to be changed under the plan. After the planning period has expired, the boundary may be altered.

(8) **AMENDMENTS TO COOPERATIVE PLAN.** (a) *Authority to amend plan.* A cooperative plan may be amended during the planning period if all the parties to the plan agree to the amendment and if the amendment is approved by the department.

(b) *When full procedure required.* An amendment to a cooperative plan that proposes to change a municipality's boundary or to change the approved planning period shall follow the same procedure as that required for an original plan.

(c) *When expedited procedure may occur.* An amendment to a cooperative plan that does not propose to change a boundary or the planning period shall follow the same procedure as that required for an original plan except that the hearing under sub. (4) (b) is not required unless objection to the amendment is made in writing by any person to the clerk of a participating municipality. An amendment under this paragraph shall be adopted by resolution of each of the participating municipalities. Notice of the amendment and adopting resolution shall follow the procedures specified in sub. (4) (a). Notice that the amendment will be submitted directly to the department unless objection is made in writing shall be given by each participating municipality by a class 3 notice under ch. 985. If no written objection to the amendment is received within 7 days after the last required notice is published, the amendment may be submitted

directly to the department for approval. If written objection is timely made, the public hearing and other requirements under sub. (4) (b) and (c) apply.

(9) COURT REVIEW OF DEPARTMENT DECISION. The decision of the department under sub. (5) (c) or (d) or (8) to approve or not to approve a cooperative plan or an amendment to a plan is subject to judicial review under ch. 227.

(10) BOUNDARY CHANGE ORDINANCE; FILING REQUIREMENT. A boundary change under a cooperative plan shall be accomplished by the enactment of an ordinance by the governing body designated to do so in the plan. The filing requirements under s. 66.021 (8) (a), as they apply to cities and villages under s. 66.021 (8) (a), apply to municipalities under this subsection. The requirements for the secretary of state shall be the same as those required in s. 66.021 (8) (b).

(11) TIME FOR BRINGING ACTION. No action to contest the validity of a cooperative plan under this section or an amendment to a cooperative plan, regardless of the grounds for the action, may be commenced after 60 days from the date on which the department approves the cooperative plan under sub. (5) or the amendment under sub. (8), respectively. No action relating to compliance with a binding element of a cooperative plan may be commenced later than 180 days after the failure to comply.

SECTION 474t. 66.024 (intro.) of the statutes is amended to read:

66.024 Annexation by referendum; court order. (intro.) As a complete alternative to any other annexation procedure, and subject to s. 66.023 (7), unincorporated territory which contains electors and is contiguous to a city or village may be annexed thereto in the manner hereafter provided. The definitions in s. 66.021 (1) shall apply to this section.

SECTION 474u. 66.025 of the statutes is amended to read:

66.025 Annexation of owned territory. In addition to other methods provided by law and subject to s. 66.023 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed thereto by ordinance adopted by the board of trustees of such village or the council of such city, provided that in the case of noncontiguous territory the use of such territory by the city or village is not contrary to any town or county zoning regulation. Such ordinance shall contain the exact description of the territory annexed and the names of the town or towns from which detached, and shall operate to attach such territory to such village or city upon the filing of 5 certified copies thereof in the office of the secretary of state, together with 5 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of revenue and one copy to the department of public instruction.

SECTION 474v. 66.026 of the statutes is amended to read:

66.026 Notice of litigation. Whenever any proceedings under ss. 61.187, 61.189, 61.74, 62.075, 66.012, 66.013 to 66.019, 66.021, 66.022, 66.023, 66.025 or other sections relating to an incorporation, annexation, consolidation, dissolution or detachment of territory of a city or village are contested by instigation of legal proceedings, the clerk of the city or village involved in such proceedings shall forthwith file with the secretary of state 4 copies of a notice of the commencement of such action. The clerk shall also file with the secretary of state 4 copies of any judgments rendered or appeals taken in such cases. The notices or copies of judgments as herein required may also be filed by an officer or attorney of any party of interest. The secretary of state shall forward to the department of transportation 2 copies and to the department of revenue one copy of any notice of action or judgment filed with the secretary of state pursuant to this section.

SECTION 474w. 66.027 of the statutes is amended to read:

66.027 (title) Municipal boundaries, fixed by judgment. Any 2 municipalities whose boundaries are immediately adjacent at any point and who are parties to any action, proceeding or appeal in court for the purpose of testing the validity or invalidity of any annexation, incorporation, consolidation or detachment, may enter into a written stipulation, compromising and settling any such litigation and determining the common boundary line between the municipalities. The court having jurisdiction of the litigation, whether it is a circuit court, the court of appeals or the supreme court, may enter a final judgment incorporating the provisions of the stipulation and fixing the common boundary line between the municipalities involved. ~~Any 2 municipalities whose boundaries are immediately adjacent at any point may enter into a written agreement setting the boundary lines between themselves.~~ Any agreement stipulation changing boundaries of municipalities shall be approved by the governing bodies of the detaching and annexing municipalities and s. 66.021 (8) and (10) shall apply. Any change of civil municipal boundaries under this section is subject to a referendum of the electors residing within the territory annexed or detached, if within 30 days after the publication of the stipulation ~~or agreement~~ to change boundaries in a newspaper of general circulation in the area proposed to be annexed or detached, a petition for a referendum conforming to the requirements of s. 8.40 signed by at least 20% of the electors of the area to be annexed or detached, is filed with the clerk of the municipality from which the area is proposed to be detached. The referendum shall be conducted as are annexation referenda. If the referendum election is opposed to detachment from the municipality, all proceedings under this section are void. For the purposes of this

section "municipalities" includes cities, villages and towns.

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~~SECTION 475m. 66.04 (2) (b) of the statutes is amended to read:~~

~~66.04 (2) (b). Any town, city or village may invest surplus funds in any bonds or securities issued under the authority of the municipality, whether the bonds or securities create a general municipality liability or a liability of the property owners of the municipality for special improvements, and may sell or hypothecate the bonds or securities. Funds of any employer, as defined by s. 40.02 (28), or of the Wisconsin counties association, in a deferred compensation plan may also be invested and reinvested in the same manner authorized for investments under s. 881.01 (1).~~

SECTION 475p. 66.057 of the statutes is created to read:

66.057 Minimum acreage of cemeteries. A city, village or town may enact and enforce an ordinance that does any of the following:

(1) Allows a cemetery consisting of less than the minimum acreage specified in s. 157.128 (1) to be dedicated, as defined in s. 157.061 (4), in that city, village or town.

(2) Allows a person to establish and use a public mausoleum in a cemetery consisting of less than the minimum acreage specified in s. 157.12 (2) (c).

SECTION 476. 66.058 (3) (c) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.058 (3) (c) (intro.) In addition to the license fee provided in pars. (a) (intro.) and (b), each local taxing authority shall collect from each mobile home occupying space or lots in a park in the city, town or village, except from mobile homes that constitute improvements to real property under s. 70.043 (1) and from recreational mobile homes and camping trailers as defined in s. 70.111 (19), a monthly parking permit fee computed as follows: On January 1, the assessor shall determine the total fair market value of each mobile home in the taxation district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equated to the general level of assessment for the prior year on other real and personal property in the district. The value of each mobile home thus determined shall be multiplied by the general property gross tax rate, less any credit rate for the property tax relief credit determined under s. 79.10 (6g), established

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on the preceding year's assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and the assessor on mobile homes added to the park within 5 days after their arrival, on forms prescribed

by the department of revenue. As soon as the assessor receives the notice of an addition of a mobile home to a park, the assessor shall determine its fair market value and notify the clerk of that determination. The clerk shall equate the fair market value established by the assessor and shall apply the appropriate tax rate, divide the annual parking permit fee thus determined by 12 and notify the mobile home owner of the monthly fee to be collected from the mobile home owner. A municipality, by ordinance, may require the mobile home park operator to collect the monthly parking fee from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the mobile home remains in the tax district. A new fee and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under ch. 70. If the board of review reduces a valuation on which previous monthly payments have been made the tax district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile home owner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile for an accumulating period not to exceed 60 days in any 12 months if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified tourists or vacationists in lieu of monthly mobile home parking permit fees. The credit under s. 79.10 (9) (bm), as it applies to the principal dwelling on a parcel of taxable property of an owner shall apply to the estimated fair market value of a mobile home that is the principal dwelling of the owner. The owner of the mobile home shall file a claim for the credit with the treasurer of the municipality in which the property is located no later than January 31. To obtain the credit under s. 79.10 (9) (bm), the owner shall attest on the claim that the mobile home is the owner's principal dwelling, as defined in s. 79.10 (1) (f). The treasurer shall reduce the owner's parking permit fee by the amount of any allowable credit. The treasurer shall furnish notice of all claims for credits filed under this paragraph to the department of revenue as provided under s. 79.10 (1m).

~~SECTION 487e. 66.075 (1) of the statutes is amended to read:~~

~~66.075 (1). Authority is hereby given to every county and to every city of more than 5,000 inhabitants to construct and maintain public slaughterhouses upon such conditions and under such regulations as may be imposed by the department of agriculture, and trade and consumer protection.~~

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~~SECTION 487g. 66.124 (1) of the statutes is 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, and 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, and 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).~~

SECTION 487i. 66.184 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

66.184 Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power to its officers and employes on a self-insured basis, the self-insured plan shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (5), 632.895 (9) and 632.896.

SECTION 487j. 66.184 of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

66.184 Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power to its officers and employes on a self-insured basis, the self-insured plan shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (4) and (5), 632.895 (9) and 632.896.

SECTION 487m. 66.28 (4) of the statutes is amended to read:

66.28 (4) A city, village, town or county may dispose of any abandoned, unclaimed or seized firearm or ammunition only under s. 968.20.

SECTION 488. 66.303 of the statutes is created to read:

66.303 Multifamily dwelling code. (1) Except as provided in sub. (2), any ordinance enacted by a county, city, village or town relating to the construction or inspection of multifamily dwellings, as defined in s. 101.971 (2), shall conform to subch. VI of ch. 101 and s. 101.02 (7m).

(2) If a county, city, village or town has a preexisting stricter sprinkler ordinance, as defined in s. 101.975 (3) (a), that ordinance remains in effect and the county, city, village or town may take any action

with regard to that ordinance that a political subdivision may take under s. 101.975 (3) (b).

~~SECTION 488m. 66.33 (5) of the statutes is amended to read:~~

~~66.33 (5). Any municipality 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 municipality may participate in the clean water fund program under ss. 144.241 and 144.2415 and may enter into agreements with the department of administration and 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, and trade and consumer protection for that purpose.~~

SECTION 489. 66.609 of the statutes is created to read:

66.609 Architectural conservancy districts. (1) In this section:

(a) "Architectural conservancy district" means an area within a municipality consisting of contiguous parcels subject to general real estate taxes, other than railroad rights-of-way.

(b) "Board" means an architectural conservancy district board appointed under sub. (3) (a).

(c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.

(cm) "Historic property" means any building or structure that is any of the following:

1. Listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin or the state register of historic places.

2. Included in a district that is listed on, or has been nominated by the state historical society for listing on, the national register of historic places in Wisconsin or the state register of historic places, and has been determined by the state historical society to contribute to the historic significance of the district.

3. Included on a list of properties that have been determined by the state historical society to be eligible for listing on the national register of historic places in Wisconsin or the state register of historic places.

(d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.

(e) "Municipality" means a city, village or town.

(f) "Operating plan" means a plan that is adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of an architectural conservancy district and that includes all of the following:

1. The special assessment method applicable to the architectural conservancy district.

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2. The kind, number and location of all proposed expenditures within the architectural conservancy district.

3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.

4. A description of how the creation of the architectural conservancy district promotes the orderly development of the municipality, including its relationship to any municipal master plan.

5. A legal opinion that subs. 1 to 4 have been complied with.

(g) "Planning commission" means a plan commission under s. 62.23 or, if one does not exist, a board of public land commissioners or, if neither exists, a planning committee of the local legislative body.

(2) A municipality may create an architectural conservancy district and adopt its operating plan if all of the following are met:

(a) An owner of real property located in the proposed architectural conservancy district designated under par. (b) petitions the municipality for creation of an architectural conservancy district.

(am) At least 50% of the properties included within the proposed architectural conservancy district are historic properties.

(b) The planning commission designates a proposed architectural conservancy district and adopts its proposed initial operating plan.

(c) At least 30 days before the creation of the architectural conservancy district and adoption of its initial operating plan by the municipality, the planning commission holds a public hearing on the proposed architectural conservancy district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication of the notice, a copy of that notice, a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed architectural conservancy district shall be sent by certified mail to all owners of real property within the proposed architectural conservancy district. The notice shall state the boundaries of the proposed architectural conservancy district and shall indicate that copies of the proposed initial operating plan are available on request from the planning commission.

(d) Within 30 days after the hearing under par. (c), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40% of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission

protesting the proposed architectural conservancy district or its proposed initial operating plan.

(e) The local legislative body votes to adopt the proposed initial operating plan for the municipality.

(3) (a) The chief executive officer shall appoint members to an architectural conservancy district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the architectural conservancy district.

(b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its architectural conservancy district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the architectural conservancy district shall be approved by the local legislative body.

(c) The board shall prepare and make available to the public annual reports describing the current status of the architectural conservancy district, including expenditures and revenues. The report shall include an independent certified audit of the implementation of the operating plan that shall be obtained by the municipality. The municipality shall obtain an additional independent certified audit upon termination of the architectural conservancy district.

(d) Either the board or the municipality, as specified in the operating plan as adopted, or as amended and approved under par. (b), shall have all powers necessary or convenient to implement the operating plan, including the power to contract.

(4) All special assessments received from an architectural conservancy district, all other appropriations by the municipality and all other moneys received for the benefit of the architectural conservancy district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits required under sub. (3) (c) or on order of the board for the purpose of implementing the operating plan. On termination of the architectural conservancy district by the municipality, all moneys collected by special assessment that remain in the account shall be disbursed to the owners of specially assessed property in the architectural conservancy district in the same proportion as the last collected special assessment.

(5) A municipality shall terminate an architectural conservancy district if the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the architectural conservancy district, subject to all of the following conditions:

(a) A petition may not be filed under this subsection earlier than one year after the date on which the municipality first adopts the operating plan for the architectural conservancy district.

(b) On and after the date on which a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until 30 days after the date of hearing under par. (c) and unless the architectural conservancy district is not terminated under par. (e).

(c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication of the notice, a copy of that notice, a copy of the operating plan and a copy of a detail map showing the boundaries of the architectural conservancy district shall be sent by certified mail to all owners of real property within the architectural conservancy district. The notice shall state the boundaries of the architectural conservancy district and shall indicate that copies of the operating plan are available on request from the planning commission.

(d) Within 30 days after the hearing held under par. (c), every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the architectural conservancy district or, if the owner did not sign the petition, that the owner requests termination of the architectural conservancy district.

(e) If on the 31st day after the hearing held under par. (c), the owners of property assessed under the operating plan having a valuation equal to more than 50% of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50% of the assessed valuation of all property assessed under the operating plan, after adding subsequent notifications under par. (d) and after subtracting any retractions under par. (d), have requested the termination of the architectural conservancy district, the municipality

shall terminate the architectural conservancy district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(6) (a) A municipality may terminate an architectural conservancy district at any time.

(b) This section does not limit the authorities of a municipality to regulate the use of or specially assess real property.

~~SECTION 490c. 66.955 (3) of the statutes is amended to read:~~

~~66.955 (3) The department of natural resources may conduct research on the control of nuisance weeds. The secretaries of natural resources and of agriculture and trade and consumer protection may authorize any person to plant or cultivate nuisance weeds for the purpose of controlled experimentation.~~

SECTION 490e. 69.30 (title) of the statutes is amended to read:

69.30 (title) Authorized copying of vital records.

SECTION 490eh. 69.30 (1) of the statutes is renumbered 69.30 (1) (intro.) and amended to read:

69.30 (1) (intro.) In this section, "financial:

(b) "Financial institution" means any bank, savings and loan association or credit union that is authorized to do business under state or federal laws relating to financial institutions.

SECTION 490ei. 69.30 (1) (a) and (c) of the statutes are created to read:

69.30 (1) (a) "County department" means a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437.

(c) "State agency" has the meaning given in s. 20.001 (1).

SECTION 490ej. 69.30 (2) of the statutes is amended to read:

69.30 (2) A financial institution, state agency or county department or an employe of a financial institution, state agency or county department is not subject to s. 69.24 (1) (a) for copying a certified copy of a vital record for use by the financial institution, state agency or county department if the copy is marked "FOR ADMINISTRATIVE USE".

~~SECTION 490g. 69.66 of the statutes is amended to read:~~

~~69.66 Agricultural statistics. The department of agriculture and trade and consumer protection may collect statistics in relation to principal farm products and agricultural resources as may be necessary through the use of mail surveys and other appropriate means.~~

SECTION 490h. 70.11 (4) of the statutes is amended to read:

70.11 (4) EDUCATIONAL, RELIGIOUS AND BENEVOLENT INSTITUTIONS; WOMEN'S CLUBS; HISTORICAL SOCIETIES; FRATERNITIES; LIBRARIES. Property owned and used exclusively by educational institutions offering regular courses 6 months in the year; or by churches or

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religious, educational or benevolent associations, including benevolent nursing homes and retirement homes for the aged but not including property owned by any nonstock, nonprofit corporation which services guaranteed student loans for others or on its own account, and also including property owned and used for housing for pastors and their ordained assistants, members of religious orders and communities, and ordained teachers, whether or not contiguous to and a part of other property owned and used by such associations or churches; or by women's clubs; or by domestic, incorporated historical societies; or by domestic, incorporated, free public library associations; or by fraternal societies operating under the lodge system (except university, college and high school fraternities and sororities), but not exceeding 10 acres of land necessary for location and convenience of buildings while such property is not used for profit. Property owned by churches or religious associations necessary for location and convenience of buildings, used for educational purposes and not for profit, shall not be subject to the 10-acre limitation but shall be subject to a 30-acre limitation. Property that is exempt from taxation under this subsection and is leased remains exempt from taxation only if, in addition to the requirements specified in the introductory phrase of this section, the lessee does not discriminate on the basis of race.

Vetoed in Part SECTION 490l. 70.11 (8) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.11 (8) ~~TAXED IN PART.~~ Property that is exempt under this section and that is used in part in a trade or business for which the owner of the property is subject to taxation under sections 511 to 515 of the internal revenue code, as defined in s. 71.22 (4m), shall be assessed for taxation at that portion of the fair market value of the property that is attributable to the part of the property that is used in the unrelated trade or business. This subsection does not apply to property that is leased by an exempt organization to another person or to property that is exempt under ~~sub. subs. (1), (2) and (34).~~

SECTION 490m. 70.111 (19) (b) of the statutes is repealed and recreated to read:

70.111 (19) (b) Mobile homes, as defined in s. 66.058, that are no larger than 400 square feet and that are used primarily as temporary living quarters for recreational, camping, travel or seasonal purposes.

SECTION 490ng. 70.119 (2) of the statutes is amended to read:

70.119 (2) The state department shall make reasonable payments for municipal services pursuant to the procedures specified in subs. (4), (5) and (6), except as provided in sub. (9).

SECTION 490nh. 70.119 (9) of the statutes is created to read:

70.119 (9) The department shall not make payments for municipal services at the parking ramp located at 1 West Wilson street in the city of Madison.

~~SECTION 490nr. 70.27 (5) of the statutes is amended to read:~~

~~70.27 (5) SURVEYS; RECONCILIATIONS. The surveyor making the plat shall survey and lay out the boundaries of each parcel, street, alley, lane, roadway, or dedication to public or private use, according to the records of the register of deeds, and whatever evidence that may be available to show the intent of the buyer and seller in the chronological order of their conveyance or dedication, and set temporary monuments to show the results of such survey which shall be made permanent upon recording of the plat as provided for in this section. The map shall be at a scale of not more than 100 feet per inch, unless waived in writing by the department of agriculture, and trade and consumer protection under s. 236.20 (2) (L). The owners of record of lands in the plat shall be notified by certified letter mailed to their last-known address, in order that they shall have opportunity to examine the map, view the temporary monuments, and make known any disagreement with the boundaries as shown by the temporary monuments. It is the duty of the surveyor making the plat to reconcile any discrepancies that may be revealed so that the plat as certified to the governing body is in conformity with the records of the register of deeds as nearly as is practicable. When boundary lines between adjacent parcels, as evidenced on the ground, are mutually agreed to in writing by the owners of record, such lines shall be the true boundaries for all purposes thereafter, even though they may vary from the metes and bounds descriptions previously of record. Such written agreements shall be recorded in the office of the register of deeds. On every assessor's plat, as certified to the governing body, shall appear the volume, page and document number of the metes and bounds description of each parcel, as recorded in the office of the register of deeds, which shall be identified with the number by which such parcel is designated on the plat, except that lots which have been conveyed or otherwise acquired but upon which no deed is recorded in the office of register of deeds may be shown on an assessor's plat and when so shown shall contain a full metes and bounds description.~~

~~SECTION 490p. 70.27 (8) of the statutes is amended to read:~~

~~70.27 (8) PLAT FILED WITH GOVERNING BODY. Within 2 days after the assessor's plat is filed with the governing body it shall be transmitted to the department of agriculture, and trade and consumer protection by the clerk of the governing body which ordered the plat. This department of agriculture, and trade and consumer protection shall review the plat within 30 days of its receipt. No such plat may be given final approval by the local governing body until the department of agriculture, and trade and consumer protection~~

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~~has certified on the face of the original plat that it complies with the applicable provisions of ss. 236.15 and 236.20. After the plat has been so certified the clerk shall promptly publish a class 3 notice thereof under ch. 985. The plat shall remain on file in the clerk's office for 30 days after the first publication. At any time within the 30-day period any person or public body having an interest in any lands affected by the plat may bring a suit to have the plat corrected. If no suit is brought within the 30-day period, the plat may be approved by the governing body and filed for record. If a suit is brought, approval shall be withheld until the suit is decided. The plat shall then be revised in accordance with the decision if necessary, and, without referral to the department of agriculture and trade and consumer protection unless referral is ordered by the court. The plat may then be approved by the governing body and filed for record. When so filed the plat shall carry on its face the certificate of the clerk that all provisions of this section have been complied with. When recorded after approval by the governing body, the plat shall have the same effect for all purposes as if it were a land division plat made by the owners in full compliance with ch. 236. Before January 1 of each year, the register of deeds shall notify the town clerks of the recording of any assessors' plats made or amended during the preceding year, affecting lands in their towns.~~

SECTION 490qg. 70.337 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.337 (1) (intro.) By January ~~March~~ 31 of each even-numbered year, the owner of each parcel of property that is exempt under s. 70.11 shall file with the clerk of the taxation district in which the property is located a form containing the following information:

SECTION 490qm. 70.337 (6) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.337 (6) If the form under sub. (1) is not received by January ~~March~~ 31 of the even-numbered year, the taxation district clerk shall send the owner of the property a notice, by certified mail, stating that the property for which the form is required will be appraised at the owner's expense if a completed form is not received by the taxation district clerk within 30 days after the notice is sent. If the completed form is not received by the taxation district clerk within 30 days after the notice is sent, the property shall be appraised either by the taxation district assessor or by a person hired by the taxation district to conduct the appraisal.

*SECTION 490qq. 70.337 (7) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.337 (7) This section does not apply to property that is exempt under s. 70.11 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a payment in lieu of taxes is made for that property,

* Although Item E-23 of the Governor's veto message includes a reference to SECTION 490qq, the SECTION is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.

lake beds owned by the state, state forests under s. 28.03 or 28.035, county forests under s. 28.10 or highways, as defined in s. 340.01 (22).

SECTION 490r. 70.339 (1) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

70.339 (1) (intro.) By March 15 each person that owns property that is exempt under s. 70.11, except s. 70.11 (1) and (2), and that was used in the most recently ended taxable year in a trade or business for which the owner of the property was subject to taxation under sections 511 to 515 of the internal revenue code, as defined in s. 71.22 (4m), shall file with the clerk of the taxation district in which the property is located a statement containing the following information:

~~SECTION 490sg. 70.425 (2) of the statutes is amended to read:~~

~~70.425 (2) The occupational tax herein provided shall be assessed to the owner or person in possession of such mink by the assessor. The assessor shall enter on the assessment roll the names of the person to whom assessed and the number of farms in the district. The clerk of the taxation district shall compute the tax and enter it on the tax roll. Such a tax is a special tax under ch. 74. The money so collected shall be paid into the state treasury and shall be used by the department of agriculture, and trade and consumer protection under s. 95.15.~~

~~SECTION 490sm. 70.425 (3) of the statutes is amended to read:~~

~~70.425 (3) At the request of the department of agriculture, and trade and consumer protection, the clerk of the taxation district shall furnish the department a list of the names and addresses of the domestic mink farmers in the taxation district.~~

SECTION 490st. 70.995 (1) (a) of the statutes is amended to read:

70.995 (1) (a) In this section "manufacturing property" includes all lands, buildings, structures and other real property used ~~or, if vacant, designed for use~~ in manufacturing, assembling, processing, fabricating, making or milling tangible personal property for profit. Manufacturing property also includes warehouses, storage facilities and office structures when the predominant use of the warehouses, storage facilities or offices is in support of the manufacturing property, and all personal property owned or used by any person engaged in this state in any of the activities mentioned, and used in the activity, including raw materials, supplies, machinery, equipment, work in process and finished inventory when located at the site of the activity. Establishments engaged in assembling component parts of manufactured products are considered manufacturing establishments if the new product is neither a structure nor other fixed improvement. Materials processed by a manufacturing establishment include products of agriculture, forestry, fishing, mining and quarrying. For the purposes of this sec-

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tion, establishments which engage in mining metalliferous minerals are considered manufacturing establishments.

SECTION 490su. 70.995 (4) of the statutes is amended to read:

70.995 (4) Whenever real property or tangible personal property is used for one, or some combination, of the processes mentioned in sub. (3) and also for other purposes, the department of revenue, if satisfied that there is substantial use in one or some combination of such processes, may assess the property under this section. For all purposes of this section the department of revenue shall have sole discretion for the determination of what is substantial use and what description of real property or what unit of tangible personal property shall constitute "the property" to be included for assessment purposes, and, in connection herewith, the department may include in a real property unit, real property owned by different persons. Vacant property designed for use in manufacturing, assembling, processing, fabricating, making or milling tangible property for profit may be assessed under this section or under s. 70.32 (1), and the period of vacancy may not be the sole ground for making that determination. In those specific instances where a portion of a description of real property includes manufacturing property rented or leased and operated by a separate person which does not satisfy the substantial use qualification for the entire property, the local assessor shall assess the entire real property description and all personal property not exempt under s. 70.11 (27). The manufacturing machinery and equipment shall be valued by the department of revenue under sub. (7) (c) and shall qualify for exemption under s. 70.11 (27). The applicable portions of the standard manufacturing property report form under sub. (12) as they relate to manufacturing machinery and equipment shall be submitted by such person.

SECTION 490sv. 70.995 (8) (a) and (b) of the statutes are amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state board of assessors, after having made the investigation, shall notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail. Beginning with objections filed in 1989, the state board of assessors shall make its determination on or before April 1 of the year after the filing. If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of

the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality files a petition for review with the clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission. If an assessment is reduced by the state board of assessors, the municipality affected may file an appeal seeking review of the reduction, or may, within 30 days after the person assessed files a petition for review, file a cross-appeal, before the tax appeals commission even though the municipality did not file an objection to the assessment with the board. If the board does not overrule a change from assessment under this section to assessment under s. 70.32 (1), the affected municipality may file an appeal before the tax appeals commission. If an assessment is increased by the board, the person assessed may file an appeal seeking review of the increase, or may, within 30 days after the municipality files a petition for review, file a cross-appeal, before the commission even though the person did not file an objection to the assessment with the board.

(b) The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation, amount or taxability must be filed with the state board of assessors within 60 days of issuance of the notice of assessment, that objections to a change from assessment under this section to assessment under s. 70.32 (1) must be filed within 60 days after receipt of the estimate under s. 79.03 that provides notice of the difference in payments under s. 79.03 caused by that change, that the fee under par. (c) or (d) must be paid and that the objection is not filed until the fee is paid. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive the notice does not affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the tax appeals commission or of the state board of assessors or the enforcement of delinquent taxes by statutory means.

SECTION 490sw. 70.995 (8) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

70.995 (8) (c) All objections to the amount, valuation, ~~or~~ taxability or change from assessment under this section to assessment under s. 70.32 (1) of property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the state board of assessors within the time prescribed in par. (b). A \$45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is

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paid. Neither the state board of assessors nor the tax appeals commission may waive the requirement that objections be in writing. Persons who own land and improvements to that land may object to the aggregate value of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land.

SECTION 490sx. 70.995 (8) (d) of the statutes is amended to read:

70.995 (8) (d) A municipality may file an objection with the state board of assessors to the amount, valuation or taxability under this section or to the change from assessment under this section to assessment under s. 70.32 (1) of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. Objection shall be made on a form prescribed by the department and filed with the board within 60 days of the date of the issuance of the assessment in question. A \$45 filing fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. The board shall forthwith notify the person assessed of the objection ~~to the assessment~~ filed by the municipality.

SECTION 490tb. 71.01 (6) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.01 (6) (d) For taxable years that begin after December 31, 1988, and before January 1, 1990, 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, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-194, P.L. 101-239, P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280 and, P.L. 101-508 and P.L. 102-227. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-194, P.L. 101-239, P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 490td. 71.01 (6) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.01 (6) (e) For taxable years that begin after December 31, 1989, and before January 1, 1991, 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, 1989, and as amended by P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280 and, P.L. 101-508 and P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-280 and, P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 490tf. 71.01 (6) (f) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.01 (6) (f) For taxable years that begin after December 31, 1990, and before January 1, 1992, 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, 1990, and as amended by P.L. 102-90 and P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280 and, P.L. 101-508, P.L. 102-90 and P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-90 and P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 102-90 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 490th. 71.01 (6) (g) of the statutes is created to read:

71.01 (6) (g) For taxable years that begin after December 31, 1991, 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, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1991, do not apply to this paragraph

with respect to taxable years beginning after December 31, 1991.

SECTION 490ti. 71.01 (7r) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization or depreciation, "internal revenue code" means either the federal internal revenue code as amended to December 31, 1990 1991, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property that, under s. 71.02 (2) (d) 12, 1985 stats., 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 490v. 71.02 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.02 (1) 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 s. 71.23 (2), 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 including, but not limited by enumeration, income derived from a limited partner's distributive share of partnership income, the state lottery under ch. 565, any multistate lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the ~~lottery board gaming commission~~ and pari-mutuel wager winnings and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562, and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). 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.

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~~SECTION 490x. 71.03 (1m) of the statutes is created to read:~~

~~71.03 (1m) DEPARTMENT TO OFFER IDENTIFICATION LABELS. If a natural person who is required to file a tax return under this subchapter notifies the department of revenue on his or her tax return form that is filed, for the taxable year before the taxable year for which the identification label is requested, before October 15 or, for a fiscal year filer, before the 15th day of the 3rd month before the end of his or her fiscal year, that he or she will not need a tax return form and instruction booklet sent by the department in order to~~

~~file his or her return for the next taxable year, the department shall send the person a postcard with an identification label attached instead of a form and booklet.~~

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SECTION 491. 71.03 (7) of the statutes, as affected by 1991 Wisconsin Act 3, is amended to read:

71.03 (7) EXTENSION OF TIME TO FILE. ~~In the case of returns~~ Returns of natural persons and fiduciaries which ~~that~~ require a statement of amounts or information contained or entered on a corresponding return under the internal revenue code, ~~such returns~~ shall be filed within the time fixed under ~~said that~~ code for filing of the corresponding federal return. Any extension of time granted by law or by the internal revenue service for the filing of ~~such that~~ corresponding federal return ~~shall extend~~ extends the time for filing under this chapter ~~provided if~~ a copy of any request for an extension ~~granted~~ required by the internal revenue service is filed with the return under this chapter or at ~~such an~~ earlier date as ~~that~~ the department by rule prescribes. ~~Extensions for periods of 30 days may also be granted by the department in any case for cause satisfactory to it and if, in the case of a joint return, a request for an extension is signed by both spouses or authorized representatives by rule and if the taxpayer pays the Wisconsin tax in the manner applicable to federal income taxes under the internal revenue code.~~ Taxes payable upon the filing of the return ~~shall do~~ not become delinquent during the period of an extension but ~~shall be~~ are subject to interest at the rate of 12% per year during such period, except, for taxable years beginning after December 31, 1989, and before January 1, 1991, for persons who served in support of Operation Desert Shield, Operation Desert Storm or an operation that is a successor to Operation Desert Shield or Operation Desert Storm in the United States, or for persons who served in Egypt, Israel, Diego Garcia or Germany, or for persons who qualify for a federal extension of time to file under 26 USC 7508, who served outside the United States because of their participation in Operation Desert Shield, Operation Desert Storm or an operation that is a successor to Operation Desert Shield or Operation Desert Storm in the Desert Shield or Desert Storm theater of operations.

SECTION 491g. 71.04 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.04 (1) (a) 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. (4), (10) or (11), shall follow the situs of the business from which derived. All 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. (9) 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. A nonresident limited partner's distributive share of partnership income shall follow the situs of the business. Income of nonresident individuals, estates and trusts from the state lottery under ch. 565 is taxable by this state. Income of nonresident individuals, estates and trusts from any multistate lottery under ch. 565 is taxable by this state, but only if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the ~~lottery board~~ gaming commission. Income of nonresident individuals, nonresident trusts and nonresident estates from pari-mutuel winnings ~~and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562~~ is taxable by this state. 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 par. (b) and sub. (9).

SECTION 491r. 71.04 (7) (f) 16 of the statutes is amended to read:

71.04 (7) (f) 16. Pari-mutuel wager winnings ~~and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562~~.

SECTION 491t. 71.05 (6) (b) 17 and 18 of the statutes are created to read:

71.05 (6) (b) 17. For taxable years beginning after December 31, 1992, and before January 1, 1994, an amount paid by a self-employed person, or an amount paid by a person who is the employe of another person if the person's employer pays no amount of money toward the person's medical care insurance, for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Twenty-five percent of the amount paid by the person for medical care insurance. In this subdivision, "medical care insurance" means a medical care insurance policy that covers the person, his or her spouse and the person's dependents and provides surgical, medical, hospital, major medical or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but "medical care insurance" does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness or injury.

b. From the amount calculated under subd. 17. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

c. For a person who is a nonresident or a part-year resident of this state, modify the amount calculated under subd. 17. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

d. Reduce the amount calculated under subd. 17. b. or c. to the person's aggregate net earnings from a trade or business that are taxable by this state.

18. For taxable years beginning on or after January 1, 1994, an amount paid by a self-employed person, or an amount paid by a person who is the employe of another person if the person's employer pays no amount of money toward the person's medical care insurance, for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Fifty percent of the amount paid by the person for medical care insurance. In this subdivision, "medical care insurance" means a medical care insurance policy that covers the person, his or her spouse and the person's dependents and provides surgical, medical, hospital, major medical or other health service coverage, and includes payments made for medical care benefits under a self-insured plan, but "medical care insurance" does not include hospital indemnity policies or policies with ancillary benefits such as accident benefits or benefits for loss of income resulting from a total or partial inability to work because of illness, sickness or injury.

b. From the amount calculated under subd. 18. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income.

c. For a person who is a nonresident or a part-year resident of this state, modify the amount calculated under subd. 18. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

d. Reduce the amount calculated under subd. 18. b. or c. to the person's aggregate net earnings from a trade or business that are taxable by this state.

SECTION 493b. 71.07 (5) (a) 15 of the statutes is created to read:

71.07 (5) (a) 15. The amount claimed as a deduction for medical care insurance under section 213 of the internal revenue code that is exempt from taxation under s. 71.05 (6) (b) 17 and 18.

SECTION 493e. 71.07 (9e) (a) 1 to 3 of the statutes are amended to read:

71.07 (9e) 1. If the person has one ~~dependent~~ qualifying child who has the same principal place of abode as the person, 5%.

2. If the person has 2 ~~dependent~~ qualifying children who have the same principal place of abode as the person, 25%.

3. If the person has more than 2 ~~dependent~~ qualifying children who have the same principal place of abode as the person, 75%.

SECTION 493fb. 71.22 (4) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.22 (4) (d) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493fd. 71.22 (4) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.22 (4) (e) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1989, and before January 1, 1991, means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes

to the internal revenue code made by P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493ff. 71.22 (4) (f) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.22 (4) (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal internal revenue code as amended to December 31, 1990, ~~and as amended by P.L. 102-227~~ and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493fh. 71.22 (4) (g) of the statutes is created to read:

71.22 (4) (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1991, means the federal internal revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991.

SECTION 493hb. 71.22 (4m) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.22 (4m) (b) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s.

71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493hd. 71.22 (4m) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.22 (4m) (c) For taxable years that begin after December 31, 1989, and before January 1, 1991, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493hf. 71.22 (4m) (d) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.22 (4m) (d) For taxable years that begin after December 31, 1990, ~~and before January 1, 1992~~, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1990, ~~and as amended by~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1990, do not apply to this

paragraph with respect to taxable years beginning after December 31, 1990, ~~and before January 1, 1992~~, ~~except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.~~

SECTION 493hh. 71.22 (4m) (e) of the statutes is created to read:

71.22 (4m) (e) For taxable years that begin after December 31, 1991, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991.

SECTION 493j. 71.25 (5) (a) 24 of the statutes is amended to read:

71.25 (5) (a) 24. Pari-mutuel wager winnings ~~and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562.~~

SECTION 493jm. 71.25 (9) (f) 16 of the statutes is amended to read:

71.25 (9) (f) 16. Pari-mutuel wager winnings ~~and or purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) under ch. 562.~~

SECTION 493kb. 71.26 (2) (b) 4 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.26 (2) (b) 4. For taxable years that begin after December 31, 1988, and before January 1, 1990, 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, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 "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, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected in the provisions applicable to

this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 except that property that, under s. 71.02 (1) (c) 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, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this subdivision with respect to taxable years that begin after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493kd. 71.26 (2) (b) 5 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.26 (2) (b) 5. For taxable years that begin after December 31, 1989, and before January 1, 1991, 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, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 "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, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 except that property that, under s. 71.02 (1) (c) 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, and except that the appropriate amount shall be added or subtracted to reflect differences between the

depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this subdivision with respect to taxable years that begin after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493kf. 71.26 (2) (b) 6 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.26 (2) (b) 6. For taxable years that begin after December 31, 1990, and before January 1, 1992, 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, 1990, and as amended by P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 "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, 1990, and as amended by P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 except that property that, under s. 71.02 (1) (c) 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, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1990, and as amended by P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239

101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1990, do not apply to this subdivision with respect to taxable years that begin after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493kh. 71.26 (2) (b) 7 of the statutes is created to read:

71.26 (2) (b) 7. For taxable years that begin after December 31, 1991, 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, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, "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, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, except that property that, under s. 71.02 (1) (c) 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, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1991, do not apply to this subdivi-

sion with respect to taxable years that begin after December 31, 1991.

SECTION 493n. 71.26 (3) (y) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.26 (3) (y) A corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, 1990 1991, 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 493nn. 71.26 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~71.26 (4) NET BUSINESS LOSS CARRY-FORWARD. A corporation, except a tax-option corporation or an insurer to which s. 71.45 (4) applies, may offset against its Wisconsin net business income any Wisconsin net business loss sustained in any of the next 15 preceding taxable years, if the corporation was subject to taxation under this chapter in the taxable year in which the loss was sustained, 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 taxable year for which an offset is claimed. For purposes of this subsection 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 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. 71.25 (6) and (10) to (12). Nonapportionable losses having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net business loss, and nonapportionable income having a Wisconsin situs under s. 71.25 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin income and Wisconsin net business income for purposes of this subsection. If a corporation is in a group of corporations that files a consolidated return for federal income tax purposes and that corporation has a net business loss, part or all of which is unusable by that corporation for Wisconsin income and franchise tax purposes, that is attributable to the corporation's interest in a qualified low-income housing project, as defined in section 42 (e) of the internal revenue code, or a qualified residential rental project, as defined in section 142 (d) of the internal revenue code, another corporation that is part of the group that files a con-~~

Vetoed
in Part

Vetoed
in Part

~~consolidated return for federal income tax purposes may claim any part of the loss not used by the corporation that generates the loss.~~

~~SECTION 493p. 71.28 (6) (g) of the statutes is created to read:~~

~~71.28 (6) (g) If a corporation is in a group of corporations that files a consolidated return for federal income tax purposes and that corporation claims the credit under par. (a) for a structure that is part of a qualified low-income housing project, as defined in section 42 (g) of the internal revenue code, or is part of a qualified residential rental project, as defined in section 142 (d) of the internal revenue code, but is unable to apply the entire amount of the credit calculated under par. (a) because the amount of the credit exceeds the corporation's net tax liability under this subchapter, another corporation that is part of the group that files a consolidated return for federal income tax purposes may claim any part of the credit, including any carry-forward, not used by the corporation that generates the credit.~~

~~SECTION 493pb. 71.34 (1g) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~71.34 (1g) (d) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.~~

~~SECTION 493pd. 71.34 (1g) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~71.34 (1g) (e) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1989, and before January 1, 1991, means the federal internal revenue code as amended to~~

December 31, 1989, and as amended by P.L. 101-508 and P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and P.L. 102-227 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-508 and P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493pf. 71.34 (1g) (f) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.34 (1g) (f) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1990, and before January 1, 1992, means the federal internal revenue code as amended to December 31, 1990, and as amended by P.L. 102-227 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and, P.L. 101-508 and P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 493ph. 71.34 (1g) (g) of the statutes is created to read:

71.34 (1g) (g) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1991, means the federal internal revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected in the provisions applicable to this sub-

chapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991.

SECTION 493s. 71.365 (1m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, 1990 1991, 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. 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 for which the gain or loss is reportable under this chapter. If that property 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. If that property was acquired in a transaction in taxable year 1986 or 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 internal revenue code as defined for Wisconsin purposes for the property in the hands of the transferor.

SECTION 495db. 71.42 (2) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.42 (2) (c) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code" means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227, except that "internal revenue code" does not include section 847 of the federal internal revenue code. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 495dd. 71.42 (2) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.42 (2) (d) For taxable years that begin after December 31, 1989, and before January 1, 1991, "internal revenue code" means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 ~~and~~ P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227, except that "internal revenue code" does not include section 847 of the federal internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 ~~and~~ P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 101-508 ~~and~~ P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 495df. 71.42 (2) (e) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

71.42 (2) (e) For taxable years that begin after December 31, 1990, ~~and before January 1, 1992~~, "internal revenue code" means the federal internal revenue code as amended to December 31, 1990, ~~and~~ as amended by P.L. 102-227 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 ~~and~~, P.L. 101-508 ~~and~~ P.L. 102-227, except that "internal revenue code" does not include section 847 of the federal

internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990, and before January 1, 1992, except that changes to the internal revenue code made by P.L. 102-227 and changes that indirectly affect the federal internal revenue code made by P.L. 102-227 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 495dh. 71.42 (2) (f) of the statutes is created to read:

71.42 (2) (f) For taxable years that begin after December 31, 1991, "internal revenue code" means the federal internal revenue code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508 and P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, except that "internal revenue code" does not include section 847 of the federal internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1991, do not apply to this paragraph with respect to taxable years beginning after December 31, 1991.

SECTION 495g. 71.45 (2) (a) 13 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference between the depreciation deduction under the federal internal revenue code as amended to December 31, 1990 1991, and the depreciation deduction under the federal internal revenue code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, 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.

Vetoed in Part SECTION 496. 71.65 (3) (a) and (b) of the statutes are amended to read:

71.65 (3) (a) Every employer who deducts and withholds any amount under this subchapter shall deposit such amount on a quarterly basis, except that if the amount deducted and withheld in any quarter exceeds \$300, the department may require by written notice to

~~the employer, that amounts deducted and withheld on and after the date indicated on such notice be deposited on a monthly basis. Employers who are required to file reports and deposit withheld taxes on a monthly, quarterly or annual basis, as the case may be, shall file such reports and deposit such taxes on or before the last 25th day of the month next succeeding the withholding period. If the amount deducted and withheld in any quarter exceeds \$5,000, the department may require by written notice to the employer, that for amounts deducted and withheld from the first day of the month through the 15th day of the month, the employer shall file reports and deposit such taxes on or before the last 20th day of such month and that for amounts deducted and withheld from the 16th day of the month through the last day of the month the employer shall file reports and deposit such taxes on or before the 15th 5th day of the next succeeding month. Employers shall file reports and deposit taxes with such public depository in Wisconsin as the department of administration designates a public depository therefor under s. 34.05 to the credit of the general fund. With each deposit the employer shall include a deposit report on a form to be provided by the department. The department may when satisfied that the revenues will be adequately safeguarded, permit an employer whose withheld taxes do not exceed \$50 per month to deposit withheld taxes and reports for other than quarterly periods. The department may revoke such permission at any time. The department, if it deems it necessary in order to ensure payment to or facilitate the collection by the state of the amount of taxes, may require reports or payments of the amount of withheld taxes for other than quarterly periods. The public depository shall record on such deposit report the amount deposited and shall then forward such report to the department in such manner and at such time as the department by rule prescribes. On or before January 31 of each year every employer shall file with the department at its offices in Madison, or at such other place as the department by rule prescribes, a withholding report on a form to be provided by the department showing the amount withheld from the wages paid each employe in the previous calendar year, the amount deposited in respect to each employe on wages paid in the previous calendar year and a reconciliation of the aggregate of the amounts deposited in respect to each employe on wages paid in the previous calendar year with the aggregate of the amounts shown on the semi-monthly, monthly and quarterly deposit reports filed in respect to such withholding. Every employer who discontinues business prior to the end of a calendar year shall, within 30 days of such discontinuance, deposit withheld taxes not previously deposited and submit a deposit report concerning such deposit with the public depository and file a withholding report with the department covering the period from the beginning of the calendar year to the date of discontinuance. No employe shall~~

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have any right of action against an employer in regard to money deducted from wages and deposited with the public depository in compliance or intended compliance with this subchapter.

(b) Upon not less than 6 months' notice to the public depository designated under par. (a), the secretary of revenue may direct that withheld taxes required to be reported and remitted by employers on and after a date specified be reported and remitted directly to the department of revenue. Every employer who deducts and withholds any amount under this subchapter required to be reported and remitted on or after such date shall report and remit directly to the department. Amounts withheld shall be paid over a quarterly basis but if the amount deducted and withheld in any quarter exceeded \$300, the department may require, by written notice to the employer, that amounts deducted and withheld after the date indicated on such notice be paid over a monthly basis. Employers who are required to file reports and pay over withheld taxes on a monthly, quarterly or annual basis shall file such reports and pay over such taxes on or before the last 25th day of the month next succeeding the withholding period. If the amount deducted and withheld in any quarter exceeded \$5,000, the department may require by written notice to the employer, that for amounts deducted and withheld from the first day of the month through the 15th day of the month, the employer shall file such reports and pay over such taxes on or before the last 20th day of such month, for amounts deducted and withheld from the 16th day of the month through the last day of the month, the employer shall file such reports and pay over such taxes on or before the 15th day of the next succeeding month.

SECTION 496m. 71.67 (4) of the statutes is amended to read:

71.67 (4) WITHHOLDING FROM LOTTERY WINNINGS. The ~~executive director~~ administrator of the lottery division in the gaming commission under ch. 565 shall withhold from any lottery prize of \$2,000 or more an amount determined by multiplying the amount of the prize by the highest rate applicable to individuals under s. 71.06 (1). The ~~executive director~~ administrator shall deposit the amounts withheld, on a monthly basis, as would an employer depositing under s. 71.65 (3) (a).

SECTION 496p. 71.78 (4) (L) of the statutes is amended to read:

71.78 (4) (L) The ~~executive director~~ administrator of the lottery board division in the gaming commission for the purpose of withholding lottery winnings under s. 565.30 (5).

SECTION 496r. 71.83 (3) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

71.83 (3) LATE FILING FEES. If any person required under this chapter to file an income or franchise tax return fails to file a return within the time prescribed

by law, or as extended under s. 71.03 (7), 71.24 (7) or 71.44 (3), the department shall add to the tax of the person \$10 \$30 in the case of corporations and in the case of persons other than corporations \$2 when the total normal income tax of the person is less than \$10, \$3 when the tax is \$10 or more but less than \$20, \$5 when the tax is \$20 or more, except that \$20 \$30 shall be added to the tax if the return is 60 or more days late. If no tax is assessed against any such person the amount of this fee shall be collected as income or franchise taxes are collected, and no person shall be allowed in any action or proceeding to contest the imposition of such fee.

SECTION 497m. 74.09 (3) (b) 2r of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

74.09 (3) (b) 2r. On property tax bills for property that is classified as improved residential or improved agricultural on the assessment roll under s. 70.32 (2), the amount of property tax allocable to the property after application of the total amount of the school tax credit, property tax relief credit determined under s. 79.10 (6g) and the lottery credit.

SECTION 497r. 74.29 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

74.29 August settlement. On or before August 20, the county treasurer shall pay in full to the proper treasurer all real property taxes, including taxes offset by the credit under s. 79.10 (5), and special taxes included in the tax roll which have not previously been paid to, or retained by, the proper treasurer. A county may, by resolution adopted by the county board, direct the county treasurer to pay in full to the proper treasurer all special assessments and special charges included in the tax roll which have not previously been paid to, or retained by, the proper treasurer.

SECTION 497s. Chapter 77 (title) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES;
SALES AND USE TAXES; ~~PROPERTY~~
~~TAX DEFERRAL~~; COUNTY SALES AND
USE TAXES; MANAGED FOREST LAND;
TEMPORARY RECYCLING SURCHARGE

SECTION 498. 77.22 (1) of the statutes is renumbered 77.22, and 77.22 (1) and (2) (intro.), as renumbered, are amended to read:

77.22 (1) 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. In regard to land contracts the value is the total principal amount that the buyer agrees to pay the seller for the real estate. This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. Except as provided in s. 77.255, at the time of submission the grantee or his or

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her duly authorized agent or other person acquiring an ownership interest under the instrument, or the clerk of court in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both grantor and grantee, on the form prescribed under par. (b) sub. (2). 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).

(2) (intro.) The secretary of revenue shall prescribe the form required under par. (a) sub. (1). The form shall provide for the submission of the following:

SECTION 499. 77.22 (1) (title) of the statutes is repealed.

SECTION 500. 77.22 (2) of the statutes is repealed.

SECTION 501. 77.25 (10) of the statutes is amended to read:

77.25 (10) Solely in order to provide or release security for a debt or obligation except as required by s. 77.22 (2) (b).

SECTION 502. 77.25 (17) of the statutes is created to read:

77.25 (17) Of a deed executed in fulfillment of a land contract if the proper fee was paid when the land contract or an instrument evidencing the land contract was recorded.

SECTION 503. 77.51 (20) of the statutes is amended to read:

77.51 (20) "Tangible personal property" means all tangible personal property of every kind and description and includes electricity, natural gas, steam and water and also leased property affixed to realty if the lessor has the right to remove the property upon breach or termination of the lease agreement, unless the lessor of the property is also the lessor of the realty to which the property is affixed. The term "Tangible personal property" also includes coins and stamps of the United States sold or traded as collectors' items above their face value and computer programs except custom computer programs.

Vetoed
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SECTION 505m. 77.54 (9) of the statutes is amended to read:

77.54 (9) The gross receipts from sales of tickets or admissions to public and private elementary and secondary school activities, where or from the furnishing by such schools, for dues, fees or other considerations,

~~of the privilege of having access to or the use of amusement, entertainment, athletic or recreational facilities, if the entire net proceeds therefrom of the sales are expended for educational, religious or charitable purposes.~~

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SECTION 505p. 77.54 (26) of the statutes is amended to read:

77.54 (26) The gross receipts from the sales of and the storage, use, or other consumption of tangible personal property which becomes a component part of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or tangible personal property which becomes a component part of a waste treatment facility of this state or any agency thereof, or any political subdivision of the state or agency thereof as provided in s. 49.02 (28) or the Wisconsin counties association. The exemption includes replacement parts therefor and also applies to chemicals and supplies used or consumed in operating a waste treatment facility and to purchases of tangible personal property made by construction contractors who transfer such property to their customers in fulfillment of a real property construction activity. This exemption does not apply to tangible personal property installed in fulfillment of a written construction contract entered into, or a formal written bid made, prior to July 31, 1975.

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SECTION 505r. 77.54 (32) of the statutes is amended to read:

77.54 (32) The gross receipts from charges, including charges for a search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record that a person may examine and use under s. 16.61 (12) or for copies of a public record or confidential record under s. 19.35 (1) (a).

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SECTION 506. 77.58 (1) and (2) (intro.), (a) and (b) of the statutes are amended to read:

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77.58 (1) The taxes imposed by this subchapter for each calendar quarter are due and payable on the last 25th day of the month next succeeding the calendar quarter for which imposed except that:

(a) If the amount of tax for any calendar quarter exceeds \$600, the department may require by written notice to the taxpayer that the taxes imposed on and after the date specified in the notice are due and payable on the last 25th day of the month next succeeding the calendar month for which imposed.

(b) If the amount of tax for any calendar quarter exceeds \$3,600, the department may require by written notice to the taxpayer that the taxes imposed on and after the date specified in the notice are due and payable on the 20th 10th day of the month next succeeding the calendar month for which imposed. The payment is timely if it fulfills the requirements under s. 77.61 (14).

(2) (intro.) A return shall be filed by the last 25th day of the month next succeeding each calendar quar-

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ter for taxes imposed for the preceding calendar quarter except that:

(a) If payments are required to be made monthly and are due and payable on the last day of the month next succeeding the calendar month for which imposed under sub. (1) (a), a return shall be filed by the last 25th day of the month next succeeding each calendar month for taxes imposed for the preceding calendar month.

(b) If payments are required to be made monthly and are due and payable on the 20th 10th day of the month next succeeding the calendar month for which imposed under sub. (1) (b), a return shall be filed by the 20th 10th day of the month next succeeding each calendar month for taxes imposed for the preceding calendar month.

SECTION 507. 77.59 (9) of the statutes is amended to read:

77.59 (9) If any person fails to file a return, the department shall make an estimate of the amount of the gross receipts of the person, or, as the case may be, of the amount of the total sales price of tangible personal property or taxable service sold or purchased by the person, the sale by or the storage, use or other consumption of which in this state is subject to sales or use tax. The estimate shall be made for the period in respect to which the person failed to make a return and shall be based upon any information which is in the department's possession or may come into its possession. Upon the basis of this estimate the department shall compute and determine the amount required to be paid to the state, adding to the sum thus arrived at a penalty equal to 40% 25% thereof. One or more such determinations may be made for one or for more than one period. When a business is discontinued a determination may be made at any time thereafter, within the periods specified in sub. (3), as to liability arising out of that business.

SECTION 508. 77.60 (3) of the statutes is amended to read:

77.60 (3) If due to neglect an incorrect return is filed, the entire tax finally determined shall be subject to a penalty of 25%, or 50% in the case of returns under s. 77.61 (1) (c), of the tax exclusive of interest or other penalty. A person filing an incorrect return shall have the burden of proving that the error or errors were due to good cause and not due to neglect.

SECTION 509. 77.61 (1) (c) of the statutes, as affected by 1991 Wisconsin Act 39, 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 dealers, licensed Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin snowmobile or all-terrain vehicle dealers, the purchaser shall file a

sales tax report return 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 510. 77.61 (4) (c) of the statutes is amended to read:

77.61 (4) (c) For sales and use taxes payable on returns filed for calendar or fiscal years beginning on or after January 1, 1983, for reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers whose tax is less than \$600 for the calendar quarter may deduct 2% of the first \$10,000 of sales and use tax payable each year, one percent of the 2nd \$10,000 of sales and use tax payable each year and 4% retailers whose tax is at least \$600 but not more than \$3,600 for the calendar quarter may deduct 2% and retailers whose tax is at least \$3,600 for the calendar quarter may deduct 0.5% of the sales and use tax in excess of \$20,000 payable each year as administration expenses if the payment of the taxes is not delinquent. For purposes of calculating the retailer's discount under this paragraph, the taxes on retail sales reported by retailers under subch. V, including taxes collected and remitted as required under s. 77.785, shall be included if the payment of those taxes is not delinquent.

SECTION 510m. 77.61 (5) (b) 9 of the statutes is amended to read:

77.61 (5) (b) 9. The executive director administrator of the lottery board division in the gaming commission for the purpose of withholding of lottery winnings under s. 565.30 (5).

SECTION 510r. Subchapter IV (title) of chapter 77 of the statutes is repealed.

SECTION 510s. 77.63 of the statutes is renumbered 16.993.

SECTION 510t. 77.64 (intro.) of the statutes is renumbered 16.994 (intro.).

SECTION 510ub. 77.64 (1) of the statutes is renumbered 16.994 (1).

SECTION 510uc. 77.64 (2) of the statutes is repealed.

SECTION 510ud. 77.64 (3) to (7) of the statutes are renumbered 16.994 (3) to (7).

SECTION 510ue. 77.64 (8) of the statutes is repealed.

SECTION 510uf. 77.65 of the statutes is renumbered 16.995, and 16.995 (1), as renumbered, is amended to read:

16.995 (1) Apply on forms prescribed by the department for a loan to pay property taxes by June 30 of the year in which the taxes are payable on a qualifying dwelling unit and, except as provided in s. 77.66 16.996 (5), specify the names of all coowners;

SECTION 510ug. 77.655 of the statutes is renumbered 16.9955.

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SECTION 510uh. 77.66 of the statutes is renumbered 16.996, and 16.996 (1), (4) (b) and (9), as renumbered, are amended to read:

16.996 (1) ~~Beginning with property taxes based on assessments made as of January 1, 1985, the~~ 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 general fund ~~under s. 25.38~~ without discouraging a reasonable rate of participation in the program.

(4) (b) That the loan shall be due and payable upon the occurrence of any of the following events: transfer of the qualifying dwelling unit by any means except upon transfer to a coowner who resides in the unit and who is permitted to assume the participant's account as provided in s. ~~77.655~~ 16.9955, or the death of the participant if the participant is the sole owner, or the death of the last surviving coowner who owns the qualifying dwelling unit, or upon discovery by the department that a participant or coowner has made a false statement on the application or otherwise in respect to the program, or upon condemnation or involuntary conversion of the qualifying dwelling unit, or if a participant ceases to meet the eligibility requirements of s. ~~77.65~~ 16.995 except as provided in sub. (5) or fails to comply with the provisions of par. (d) or, at the participant's or coowner's election, at any time before any of the events enumerated in this paragraph occurs;

(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~~ 16.997, 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 510ui. 77.67 (title) of the statutes is renumbered 16.997 (title).

SECTION 510uj. 77.67 (1) of the statutes is renumbered 16.997 (1) and amended to read:

16.997 (1) Loans made or authorized to be made under this subchapter may be funded from the proceeds of revenue obligations issued subject to and in accordance with sub. (5) and subch. II of ch. 18 and from the fund appropriation under s. ~~25.38~~ 20.505 (9) (a).

SECTION 510uk. 77.67 (2) of the statutes is renumbered 16.997 (2) and amended to read:

16.997 (2) The department may create a system of funds and accounts, separate and distinct from all other funds and accounts of the state, consisting of revenues received under sub. (5), all revenues received in the repayment of loans made under this subchapter, except as provided in sub. (2m), and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this system of funds and accounts to secure revenue obligations issued for the program. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18. ~~Moneys from the fund under s. 25.38 may not be used to repay revenue obligations.~~

SECTION 510uL. 77.67 (2m) of the statutes is renumbered 16.997 (2m) and amended to read:

16.997 (2m) Revenues received in the repayment of loans ~~funded from the fund under s. 25.38~~ made under this subchapter shall be paid into the general fund ~~under s. 25.38.~~

SECTION 510um. 77.67 (3) of the statutes is renumbered 16.997 (3).

SECTION 510un. 77.67 (4) of the statutes is renumbered 16.997 (4) and amended to read:

16.997 (4) The department may promulgate rules that restrict eligibility in addition to the requirements of s. ~~77.65~~ 16.995 or require the provision of additional security if, in the secretary's judgment, the rules

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or security are required for the satisfactory issuance of revenue obligations.

SECTION 510uo. 77.67 (5) of the statutes is renumbered 16.997 (5).

SECTION 510up. 77.67 (6) of the statutes is renumbered 16.997 (6).

SECTION 529. 77.76 (1) of the statutes is amended to read:

77.76 (1) The department of revenue shall have full power to levy, enforce and collect county sales and use taxes and may take any action, conduct any proceeding, impose interest and penalties and in all respects proceed as it is authorized to proceed for the taxes imposed by subch. III. The department of transportation and the department of natural resources may administer the county sales and use taxes in regard to items under s. 77.61 (1).

SECTION 529c. 77.92 (4) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

77.92 (4) "Net business income", with respect to a partnership, means ordinary income from trade or business activities as reported under subch. III of ch. 71. "Net business income", with respect to a natural person, estate or trust, means profit from a trade or business, ~~as defined in section 1402 (e) of the internal revenue code, not including farming,~~ for federal income tax purposes and includes net income derived as an employe as defined in section 3121 (d) (3) of the internal revenue code.

SECTION 529g. 77.92 (5) of the statutes is created to read:

77.92 (5) "Trade or business" has the meaning given in section 1402 (c) of the internal revenue code, except that "trade or business" does not include the following:

(a) Farming.

(b) Service performed by a person under section 1402 (c) (4) of the internal revenue code.

(c) Service performed, not as an employe, by a person under section 1402 (c) (5) of the internal revenue code.

SECTION 529m. 77.93 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

77.93 (2) All natural persons, estates and trusts that are required to file a return under subch. I or II of ch. 71 for the taxable year and that either are an employe as defined in section 3121 (d) (3) of the internal revenue code or file a form indicating a profit or loss from a trade or business, ~~as defined in section 1402 (e) of the internal revenue code, not including farming,~~ for federal income tax purposes for the taxable year. The surcharge is imposed on each such natural person regardless of ch. 766 and regardless of whether or not the person files jointly under ch. 71. The surcharge is not imposed on net business income of individuals for which the surcharge is imposed on a tax-option corporation of which an individual is a shareholder or a partnership of which an individual is a partner.

SECTION 529n. 77.96 (6) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the temporary recycling surcharge.

~~SECTION 529p. 79.015 of the statutes is amended to read:~~

~~79.015 Statement of estimated payments. The department of revenue, on or before September 15 of each year, 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, 79.05 and 79.06. If for the purposes of the property tax assessment as of the January 1 of the year during which the statement of estimated payments is provided, the department of revenue determines that property that was assessed during the previous year under s. 70.995 shall be assessed under s. 70.32 (1), the department shall include in the statement of estimated payments a notice of the payments that the municipality would receive under s. 79.03 in the next year if that property were again to be assessed under s. 70.995.~~

Vetoed
in Part

~~SECTION 529r. 79.02 (3) of the statutes is amended to read:~~

~~79.02 (3) Payments to each municipality and county in November shall equal that municipality's or county's entitlement to shared revenues under ss. 79.03, 79.04, 79.05 and 79.06 for the current year, minus the amount distributed to the municipality or county in July.~~

Vetoed
in Part

SECTION 530m. 79.03 (3c) of the statutes, as created by 1991 Wisconsin Act 39, is repealed and recreated to read:

79.03 (3c) (a) *Definition.* In this subsection, "full valuation" has the meaning given in sub. (3) (b) 3.

(b) *Eligibility.* A municipality is eligible for a payment under this subsection if all of the following conditions are met:

1. The municipality's population is 5,000 or less in the year in which the statement under s. 79.015 is provided.

2. For the year before the year in which the statement under s. 79.015 is provided, the municipality levies property taxes for municipal purposes at a rate of at least one mill per dollar of full value under s. 70.57.

3. a. Except as provided in subd. 3. b., the full valuation of the property in the municipality does not exceed \$40,000,000.

b. The full valuation of the property in the municipality may exceed \$40,000,000 if the land area of the municipality exceeds 54 square miles.

(bm) *Full value limit.* If the full valuation of the property in an eligible municipality exceeds \$40,000,000 and the land area of the eligible municipality exceeds 54 square miles, full valuation of the property in the eligible municipality shall be considered to be \$40,000,000 under pars. (c) 1, (d) 1 and (e) 1.

(c) *Payment.* Subject to the minimum payment under par. (d) and the maximum payment under par. (e), each eligible municipality is entitled to shared revenue from the appropriation under s. 20.835 (1) (b), in addition to its shared revenue entitlements under sub. (1), calculated as follows:

1. Divide the full valuation of the property in the municipality by \$40,000,000.
2. Multiply the result under subd. 1 by \$55.
3. Subtract the amount under subd. 2 from \$55.
4. Multiply the municipality's population by the amount under subd. 3 or by \$10, whichever is greater.

(d) *Minimum payment.* The minimum payment that an eligible municipality may receive under this subsection is the greater of zero or an amount calculated as follows:

1. Divide the full valuation of the property in the municipality by \$1,000,000.
2. Multiply the result under subd. 1 by \$720.
3. Subtract the amount under subd. 2 from \$18,000.

(e) *Maximum payment.* The maximum payment that an eligible municipality may receive under this subsection is the greater of \$10,000 or an amount calculated as follows:

1. Divide the full valuation of the property in the municipality by \$1,000,000.
2. Multiply the result under subd. 1 by \$1,750.
3. Subtract the amount under subd. 2 from \$45,000.

(f) *Distribution amount.* If the total amounts calculated under par. (c) to (e) exceed the total amount to be distributed under this subsection, the amount paid to each eligible municipality shall be paid on a prorated basis. In 1993 and thereafter, the total amount to be distributed under this subsection from s. 20.835 (1) (b) is ~~\$5,000,000~~.

Vetoed in Part

SECTION 534. 79.03 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300. In 1993 and subsequent years, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$903,680,500.

Vetoed in Part

SECTION 535gam. 79.06 (2) (d) of the statutes is created to read:

79.06 (2) (d) This subsection does not apply to a county if that county does not have any incorporated city or village located in the county.

Vetoed in Part

SECTION 535gab. 79.08 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 79.08 (1) and amended to read:

79.08 (1) (title) **OVERPAYMENTS AND UNDERPAYMENTS.** If the department of administration or the department of revenue determines by August 15 of the year following any distribution under this subchapter

~~that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or a census determination under s. 16.96 (2) (dm) or (e) or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section subsection. No corrections to the elements of any distribution may be made after August 15 of the year following the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution under this subchapter. Any underpayment shall be corrected by increasing the subsequent year's distribution under this subchapter. Corrections shall be made in the distributions to all municipalities and counties affected by the error. Corrections shall be without interest.~~

Vetoed in Part

SECTION 535gar. 79.08 (2) of the statutes is created to read:

79.08 (2) **TAX RATE DISPARITY PAYMENT ADJUSTMENT.** (a) Notwithstanding s. 79.03 (1), if the statement provided to a municipality under s. 79.015 does not include an estimate for a tax rate disparity payment under s. 79.05 and the department of revenue determines before November 1 of the year in which shared revenue payments are distributed that a municipality is eligible for a tax rate disparity payment in that year, the municipality's entitlement under s. 79.03 (1) shall be increased by an amount equal to the amount that the department of revenue determines the municipality is eligible to receive under s. 79.05.

(b) The department of revenue shall recalculate the amount of each eligible municipality's payment under s. 79.05 on the basis of any redetermination under par. (a). If the recalculated amount is less than the department of revenue's original estimate under s. 79.015 the municipality's entitlement under s. 79.03 (1) shall be reduced by an amount equal to the amount by which the municipality's payment under s. 79.05 exceeds the recalculated amount. Minimum aid payments under s. 79.06 (1) shall not be made with respect to any amounts that a municipality's entitlement is reduced under this paragraph.

(c) Any adjustment made to a municipality's shared revenue entitlement under this subsection shall be made to the municipality's November payment under s. 79.02 (3).

SECTION 535gc. 79.10 (1) (c) of the statutes is created to read:

79.10 (1) (c) "Average total levies" means the average of the total levies for the 3 years preceding the assessment year to which the tax credit is to apply.

SECTION 535gd. 79.10 (1) (e) of the statutes is renumbered 79.10 (1) (fr).

SECTION 535gi. 79.10 (1) (fg) of the statutes is created to read:

79.10 (1) (fg) "Proportion annexed" means the amount determined by dividing the equalized value of

Vetoed in Part

Vetoed
in Part

~~the property annexed by a municipality by the equalized value of all property in the municipality from which the property was annexed, both values as determined under s. 70.57 in the year in which the annexation took place.~~

~~SECTION 535gsm. 79.10 (1) (j) of the statutes is created to read:~~

~~79.10 (1) (j). "Total levies" means the total of all general property taxes levied in a municipality.~~

~~*SECTION 536gb. 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) (a), 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) (a) 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.~~

Vetoed
in Part

~~SECTION 536dam. 79.10 (4) of the statutes is repealed and recreated to read:~~

~~79.10 (4) SCHOOL LEVY TAX CREDIT. The department of revenue shall determine the amount that may be distributed to a municipality under sub. (6g) in proportion to its share of the sum of average school tax levies for all municipalities, as adjusted under sub. (7g).~~

~~SECTION 536gfm. 79.10 (4) of the statutes is created to read:~~

~~79.10 (4) TOTAL LEVIES CREDIT. The department of revenue shall determine the amount that may be distributed to a municipality under sub. (6g) in proportion to its share of the sum of average total levies for all municipalities, as adjusted under sub. (7g).~~

~~SECTION 537dbm. 79.10 (6g) of the statutes is created to read:~~

~~79.10 (6g) DISTRIBUTION OF PROPERTY TAX RELIEF CREDITS. (a) In 1993 and thereafter, each municipality shall receive from the appropriation under s. 20.835 (3) (f) the greater of the distribution amounts determined under par. (b) or par. (c).~~

~~(b) On or before November 15 of each year, the department of revenue shall determine the amount that would be distributed to each municipality in the following year under sub. (4) as if the total amount to be distributed under sub. (4) is \$319,305,000.~~

~~(c) On or before November 15 of each year, the department of revenue shall determine the amount that would be distributed to each municipality under sub. (4) as if the total amount to be distributed under sub. (4) is \$319,305,000.~~

~~SECTION 537dgm. 79.10 (6m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~79.10 (6m) CORRECTIONS OF STATE PROPERTY TAX CREDIT PAYMENTS. If the department of administration or the department of revenue determines by October 1 of the year of any distribution under subs. (4)~~

~~and (5) and (6g), that there was an overpayment or underpayment made in that year's distribution by the department of administration to municipalities, as determined under subs. (4) and (5) and (6g), because of an error by the department of administration, the department of revenue or any municipality, the overpayment or underpayment shall be corrected as provided in this subsection. Any overpayment shall be corrected by reducing the subsequent year's distribution, as determined under subs. (4) and (5) and (6g), by an amount equal to the amount of the overpayment. Any underpayment shall be corrected by increasing the subsequent year's distribution, as determined under subs. (4) and (5) and (6g), by an amount equal to the amount of the underpayment. Corrections shall be made in the distributions to all municipalities affected by the error. Corrections shall be without interest.~~

~~SECTION 537dfm. 79.10 (7g) of the statutes is created to read:~~

~~79.10 (7g) ANNEXATION ADJUSTMENT. If, during any of the 3 years preceding the assessment year to which the tax credit is to apply, a municipality has annexed property which, in total, has an equalized value of more than 5% of the equalized value of the annexing municipality before the annexation, both values as determined under s. 70.57 in the year in which the annexation took place, the municipality's share under sub. (4) or (4t) of statewide average total levies or average school tax levies shall be adjusted in the following manner. When computing the municipality's share of statewide total levies for the year in which the annexation took place and any preceding years included in the 3-year average, the share of statewide total levies for the municipality annexing property will include the sum of the amounts determined by multiplying the proportion annexed by the total levies of each municipality from which property was annexed. The share of statewide total levies for each municipality from which property was annexed will exclude an amount equal to the amount included in the annexing municipality's total levies under this subsection because of the annexation. When computing the municipality's share of statewide school tax levies for the year in which the annexation took place and any preceding years included in the 3-year average, the share of statewide school tax levies for the municipality annexing property will include the sum of the amounts determined by multiplying the proportion annexed by the school tax levies of each municipality from which property was annexed. The share of statewide school tax levies for each municipality from which property was annexed will exclude an amount equal to the amount included in the annexing municipality's school tax levies under this subsection because of the annexation.~~

~~SECTION 537gdm. 79.10 (7m) (a) (title) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~79.10 (7m) (a) (title). Property tax relief credits.~~

Vetoed
in Part

* Although Item E-20 of the Governor's veto message includes a reference to SECTION 536gb, the SECTION is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.

Vetoed
in Part

SECTION 537gdm. 79.10 (7m) (a) 1. b. of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 79.10 (7m) (a) 1 and amended to read:

79.10 (7m) (a) 1. The amount determined under sub. (4) (gg) shall be distributed by the department of administration on the 4th Monday in July.

SECTION 537mb. 79.10 (7m) (b) 1. a. of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.10 (7m) (b) 1. a. The amount determined under sub. (5) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the department of administration on the 4th Monday in March and on the first Friday in September. The distribution in March shall equal 88% of the municipality's payment under sub. (5), and the distribution in September shall equal the municipality's total payment under sub. (5) minus the amount distributed in March. The September distribution shall be made to the county in which the municipality is located.

SECTION 538mdm. 79.10 (9) (b) of the statutes is amended to read:

79.10 (9) (b) (title) *Property tax relief credit. Every* Except as provided in ss. 79.175 and 79.18, every property taxpayer of the municipality having assessed property shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property assessed to the taxpayer to the amount of the distribution to be made to the municipality under sub. (7m) (a), as stated in the December 1 notification from the department of revenue, 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.

SECTION 539gdm. 79.10 (9) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

79.10 (9) (c) (title) *Credits shown on tax bill.* The amount of the state property tax credits of particular property taxpayers, as determined under pars. (b) and (bm), shall be separately set forth on tax bills in the manner provided in s. 74.09 and. The lottery credit under par. (bm) shall reduce the property taxes otherwise payable for those taxpayers who are eligible to receive those credits that credit and who furnish the information required under sub. (10) (a), and the credit under par. (b) shall reduce the property taxes otherwise payable.

SECTION 539gf. 79.10 (10) (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

79.10 (10) (title) CLAIMING THE LOTTERY CREDIT.

Vetoed
in Part

SECTION 540gm. 79.14 of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

~~SECTION 541m. 84.01 (17) of the statutes is amended to read:~~

Vetoed
in Part

~~84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the department shall determine, as far as possible, what improvements will be made during the following 6-year period, and shall notify the county clerks prior to November 1 of each odd-numbered year, as to the improvements in their respective counties. Such notice shall also be given to the department of natural resources and to the department of agriculture, and trade and consumer protection.~~

~~SECTION 547c. 85.02 of the statutes is renumbered 85.02 (1).~~

Vetoed
in Part

~~SECTION 547e. 85.02 (2) of the statutes is created to read:~~

~~85.02 (2) (a) In this subsection, "metropolitan planning organization" means an organization designated by the department by rule for an urbanized area having a population of 50,000 or more that complies with the requirements of 23 USC 134.~~

~~(b) The department shall administer a metropolitan planning grant program and shall have all the powers necessary and convenient to implement this subsection, including the following powers:~~

~~1. Beginning January 1, 1993, from the appropriation under s. 20.395 (4) (ax), to make grants to metropolitan planning organizations for highway planning projects in urbanized areas. The department annually may award not more than \$100,000 in grants under this subsection to a metropolitan planning organization.~~

~~2. Subject to par. (c), to establish criteria for evaluating all applications for grants under this subsection.~~

~~3. To receive and review applications for grants under this subsection and to prescribe the form, nature and extent of the information which shall be contained in the application.~~

~~(c) Grants under this subsection may be made only where there is a matching fund contribution from the applicant of 20% of the amount of the grant obtained under this subsection. In-kind contributions may not be used to meet the matching fund requirement. In awarding grants, the department shall give a higher priority to applications for areawide planning activities than to applications for street segment planning activities.~~

~~(d) The department shall require any applicant awarded a grant under this subsection to do all of the following:~~

~~1. Complete the highway planning project within 18 months after receiving the grant.~~

~~2. Develop, encourage and foster public participation in the highway planning project.~~

~~3. Coordinate the highway planning project with pertinent federal and state agencies and with local communities adjacent to the project area, and con-~~

Vetoed in Part sider projections of future trends and the results of a feasibility evaluation.

(e) 1. From the appropriation under s. 20.395 (4) (ax), of the moneys received as federal highway aid for planning activities, the department shall allocate \$700,000 annually beginning in the 1992-93 fiscal year for grants under this subsection.

2. Grants funded from the allocations specified in this paragraph shall not be distributed on the basis of the population served by each metropolitan planning organization.

(f) The department shall promulgate rules to implement and administer this subsection.

Vetoed in Part SECTION 547i. 85.024 of the statutes is created to read:

85.024 Bicycle and pedestrian facilities capital assistance program. (1) In this section, "political subdivision" means a county, city, village or town.

(2) The department shall administer a bicycle and pedestrian facilities capital assistance program to provide capital assistance to political subdivisions for the construction of bikeways, as defined in s. 84.60 (1) (a), pedestrian walkways or other bicycle and pedestrian facilities.

(3) From the appropriations under s. 20.395, of moneys received from the federal government pursuant to the federal intermodal surface transportation efficiency act of 1991, P.L. 102-240, the department shall allocate \$2,000,000 in fiscal year 1992-93 and each fiscal year thereafter for the bicycle and pedestrian facilities capital assistance program under this section.

SECTION 548. 85.08 (2) (k) of the statutes is created to read:

85.08 (2) (k) To allow other uses of rail corridors owned by the state that are being used for freight rail service when such uses serve the purpose of providing assistance to or restoration of freight rail service, and to regulate the safety and compatibility of such uses with the provision of freight rail service by issuing a permit for any such use.

SECTION 551. 85.15 of the statutes is amended to read:

85.15 Property management. The department may improve, use, maintain or lease any property acquired for highway, airport or any other transportation purpose until the property is actually needed for any such purpose and may permit use of the property for purposes and upon such terms and conditions as the department deems in the public interest.

Vetoed in Part SECTION 551m. 85.20 (4m) (a) and (em) 1 of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

85.20 (4m) (a). From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 42% 43% of the projected operating expenses of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

(em) 1. An amount equal to 42% 43% of the audited operating expenses for the project year of the applicant's urban mass transit system.

Vetoed in Part

SECTION 551p. 85.202 of the statutes is created to read:

Vetoed in Part

85.202 Mass transit capital assistance program. (1) Words and phrases used in this section which are identical to words and phrases defined in s. 85.20 shall be given the meaning contained in s. 85.20.

(2) The department shall administer a mass transit capital assistance program. The department shall provide capital assistance to eligible applicants for the capital expenses of eligible applicants' urban mass transit systems. State aid available under this section shall not be available for operating expenses.

(3) From the appropriations under s. 20.395, of moneys received from the federal government pursuant to the federal intermodal surface transportation efficiency act of 1991, P.L. 102-240, the department shall allocate \$2,000,000 in fiscal year 1992-93 and each fiscal year thereafter for the mass transit capital assistance program under this section.

SECTION 558m. 86.19 (1m) of the statutes is amended to read:

Vetoed in Part

86.19 (1m) Notwithstanding sub. (1), the department shall place 100 signs near highways and in waysides that display a slogan or logo, or both, developed by the department of agriculture and trade and consumer protection to promote Wisconsin agricultural products. The signs shall be placed in prominent locations where they are likely to be seen by tourists from other states, except that no sign may be placed in violation of federal law.

SECTION 559. 86.195 (2) (ag) 33 of the statutes is created to read:

86.195 (2) (ag) 33. STH 441 between the Little Lake Butte des Morts bridge and USH 41, designated as the tri-county expressway, in Calumet, Outagamie and Winnebago counties.

SECTION 559b. 86.195 (2) (ag) 34 of the statutes is created to read:

86.195 (2) (ag) 34. USH 53 from I 90 at La Crosse to STH 35 north of Holmen.

SECTION 561. 86.30 (2) (a) 3. b. of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

86.30 (2) (a) 3. b. In calendar year 1993 and thereafter, \$1,100 \$1,200.

SECTION 562. 86.30 (9) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

86.30 (9) AIDS CALCULATIONS FOR 1992 AND 1993. For the purpose of calculating and distributing aids under sub. (2), the amounts for aids are \$239,202,700 in calendar year 1992 and \$244,514,700 \$248,514,700 in calendar year 1993 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide average cost-sharing percentage in the particular calendar year.

SECTION 563. 86.31 (1) (a) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 86.31 (1) (ar).

SECTION 564. 86.31 (1) (a) and (am) of the statutes are created to read:

86.31 (1) (a) "County highway improvement program district" means a group of counties established by the department by rule under sub. (6) (f).

(am) "County highway improvement program district committee" means a committee established by the department by rule under sub. (6) (f) consisting of not more than 5 county executives or county board chairpersons in counties that do not have county executives, or their designees, from counties within a county highway improvement program district.

SECTION 565. 86.31 (2) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

86.31 (2) (b) Improvements Except as provided in par. (d), improvements for highway construction projects funded under the program shall be under contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder. If a city, village or town does not receive a responsible bid for an improvement, the city, village or town may contract with a county for the improvement.

SECTION 566. 86.31 (2) (d) of the statutes is created to read:

86.31 (2) (d) County trunk highway improvements funded under the program, including the hauling and laying of asphaltic hot mix, may be performed by county highway departments, subject to the following restrictions:

1. No improvement may exceed \$100,000, or 0.5% of the total funds allocated to counties for county trunk highway improvements under sub. (3) (b) 1 during the current biennium, whichever is greater.

2. Work performed by any county highway department shall not exceed 40% of its county trunk highway improvements funded under the program.

3. Work performed within any county highway improvement district by county highway departments shall not exceed 30% of the biennial amount allocated for county trunk highway improvements within such district.

4. Contracts for the purchase of asphaltic hot mix shall be awarded on the basis of competitive sealed bidding.

5. Each county highway improvement program district committee shall be responsible for ensuring compliance with this paragraph.

SECTION 566d. 86.31 (2) (e) of the statutes is created to read:

86.31 (2) (e) The department of transportation may not require as a condition of reimbursement that the design and construction of any improvement with eligible costs totaling \$50,000 or less be certified by a registered professional engineer.

SECTION 567. 86.31 (6) (f) of the statutes is created to read:

86.31 (6) (f) Procedures for the establishment, administration and operation of county highway improvement program districts and county highway improvement program district committees.

SECTION 569. 87.307 of the statutes is created to read:

87.307 Floodplain zoning for Trenton island in Pierce county. (1) A floodplain zoning ordinance that applies to Trenton island in Pierce county may not limit the cost of any reconstruction, replacement or modification of, or any addition to, any nonconforming building, as defined by the department by rule, that is located on the island, except as provided in sub. (2).

(2) (a) For a building not covered under par. (b), the floodplain zoning ordinance may require that the cost of a modification of, or an addition to, a building of the type specified in sub. (1) may not exceed 50% of the building's market value on the date that the modification or addition begins.

(b) For buildings of the type specified in sub. (1) that have been destroyed or that are so severely damaged that they cannot be restored, a floodplain zoning ordinance under s. 87.30 may require that the cost of the reconstruction or replacement of the building may not exceed 150% of the building's market value immediately before the destruction or the damage occurred.

(c) An ordinance enacted under s. 87.30 may not impose the limitations under pars. (a) and (b) if, as a result of the reconstruction, replacement, modification or addition, the building and its use will conform with all of the provisions of the floodplain zoning ordinance enacted under s. 87.30.

~~SECTION 569b. 88.11 (1) (intro.) of the statutes is amended to read:~~

~~88.11 (1) (intro.) The department of agriculture, and trade and consumer protection shall employ an engineer to improve district operations. The department may:~~

~~SECTION 569c. 88.11 (3) (intro.) of the statutes is amended to read:~~

~~88.11 (3) (intro.) If the area recommended by a board for drainage exceeds 200 acres, the board, prior to the court's hearing on its report, shall procure and file with the court a report of the department of agriculture, and trade and consumer protection on all of the following.~~

~~SECTION 569d. 88.11 (4) of the statutes is amended to read:~~

~~88.11 (4) The board, with the aid of an engineer having the qualifications specified in s. 88.21 (5), shall make the necessary survey and evaluation as directed by the department of agriculture, and trade and consumer protection for its report.~~

~~SECTION 569e. 88.11 (5) (intro.) of the statutes is amended to read:~~

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~~88.11 (5) (intro.) The report of the department of agriculture, and trade and consumer protection also shall include a report of the college of agriculture and life sciences of the university of Wisconsin-Madison on all of the following:~~

~~SECTION 569p. 88.13 of the statutes is amended to read:~~

~~88.13 Right to enter lands of drainage district. Whenever necessary for any purpose connected with the organization of a district or the construction, maintenance or repair of drains and other works, members of the board, representatives of the department of agriculture, and trade and consumer protection, and persons intending to bid on or to whom contracts have been let for the construction of the works within a district and their respective agents and employes may go upon any lands proposed for inclusion or included within a district or on adjoining lands, and are not guilty of trespass therefor but are liable for unnecessary damage caused to crops or structures.~~

~~SECTION 569r. 88.21 (5) of the statutes is amended to read:~~

~~88.21 (5) Employ engineers and other assistants. Any engineer employed by the board shall be selected from a list of professional engineers approved by the department of agriculture, and trade and consumer protection. The department of agriculture, and trade and consumer protection shall furnish each drainage board, upon request, a list of professional engineers whom it considers qualified by training and experience to give competent advice in drainage matters.~~

~~SECTION 569u. 88.22 (3) (intro.) of the statutes is amended to read:~~

~~88.22 (3) (intro.) With the consent of the department of agriculture, and trade and consumer protection, enter into contracts with the U.S. government or an officer or agency thereof to accept the benefits of any federal law pertaining to flood prevention or the conservation, development, utilization and disposal of water. Without restriction by reason of enumeration, such contracts may provide that the district on whose behalf the contract is negotiated will:~~

~~SECTION 569y. 88.35 (7) of the statutes is amended to read:~~

~~88.35 (7) If the area of the district exceeds 200 acres, the report shall be submitted to the department of agriculture, and trade and consumer protection before it is filed with the court. Within 10 days, the department shall return it with its approval or disapproval.~~

~~SECTION 572c. 91.01 (3) of the statutes is amended to read:~~

~~91.01 (3) "Department" means the department of agriculture, and trade and consumer protection.~~

~~SECTION 572g. 92.03 (3) of the statutes is amended to read:~~

~~92.03 (3) "Department" means the department of agriculture, and trade and consumer protection.~~

~~SECTION 572r. Chapter 93 (title) of the statutes is amended to read:~~

~~CHAPTER 93
DEPARTMENT OF AGRICULTURE,
AND TRADE AND
CONSUMER PROTECTION~~

~~SECTION 572r. 93.01 (3) of the statutes is amended to read:~~

~~93.01 (3) "Department" means the department of agriculture, and trade and consumer protection.~~

~~SECTION 572w. 93.01 (15) of the statutes is amended to read:~~

~~93.01 (15) "Secretary" means the secretary of agriculture, and trade and consumer protection.~~

~~SECTION 573. 93.07 (10) of the statutes is renumbered 93.07 (10) (a) and amended to read:~~

~~93.07 (10) (a) To protect the health of domestic animals of the state; to determine and employ the most efficient and practical means for the prevention, suppression, control and eradication of communicable diseases among domestic animals, and for these purposes it may establish, maintain, enforce and regulate such quarantine and such other measures relating to the importation, movement and care of animals and their products, the disinfection of suspected localities and articles, and the disposition of animals, as the department may deem necessary. The definition of "communicable disease" in s. 990.01 (5g) does not apply to this subsection paragraph.~~

~~SECTION 574. 93.07 (10) (b) of the statutes is created to read:~~

~~93.07 (10) (b) To inspect and conduct investigations of facilities in this state used for racing greyhounds or for breeding or training greyhounds for racing, for the purpose of obtaining compliance with laws relating to the humane treatment of animals, animal health, animal importation, rabies control and dog licensure including ss. 174.07, 562.02 (1) (b), 562.10 (1) and 562.105 and chs. 95 and 951, and rules promulgated under those laws.~~

~~SECTION 574c. 93.09 (6) of the statutes is amended to read:~~

~~93.09 (6) No standard or regulation shall be established or prescribed by the department of agriculture, and trade and consumer protection under this section in any case where any other state department, commission or official has authority to establish such a standard or prescribe such a regulation, unless the department of agriculture, and trade and consumer protection jointly with such other department, commission or official. No standard or regulation shall be established or prescribed by any other state department, commission or official in any case where the department of agriculture, and trade and consumer protection has authority to establish such a standard or prescribe such a regulation under this section, unless such other department, commission or official establishes the standard or prescribes the regulation.~~

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~~jointly with the department of agriculture, and trade and consumer protection. The governor shall act as arbiter in case of disagreement or conflict of authority between the department of agriculture, and trade and consumer protection and any other state department, commission or official under this section.~~

~~SECTION 574g. 93.18 (2) of the statutes is amended to read:~~

~~93.18 (2) The department, in any matter relating to issuing, revoking or amending a special order relating to named persons, except as provided in sub. (3), shall serve upon the person complained against a complaint in the name of the department and a notice of a public hearing thereon to be held not sooner than 10 days after such service. The person complained against shall be entitled to be heard in person, or by agent or attorney and shall be entitled to process to compel the attendance of witnesses.~~

~~SECTION 574n. 93.18 (3) of the statutes is repealed.~~

~~SECTION 574r. 93.22 (2) of the statutes is amended to read:~~

~~93.22 (2) The department may, with the approval of the governor, appoint special counsel to prosecute or assist in the prosecution of any case arising under chs. 93 to 100. The cost of such special counsel shall be charged to the appropriation for the department of agriculture, and trade and consumer protection.~~

~~SECTION 574w. 93.31 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~93.31 Livestock breeders association. The secretary of the Wisconsin livestock breeders association shall on and after July 1 of each year make a report to the department of agriculture, and trade and consumer protection, signed by the president, treasurer and secretary of the association setting forth in detail the receipts and disbursements of the association for the preceding fiscal year in such form and detail together with such other information as the department may require. On receipt of such reports, if the department is satisfied that the business of the association has been efficiently conducted during the preceding fiscal year and in the interest of and for the promotion of the special agricultural interests of the state and for the purpose for which the association was organized and if the final statement shows that all the receipts together with the state aid have been accounted for and disbursed for the proper and necessary purposes of the association, and in accordance with the laws of the state, then the department shall file a certificate with the department of administration and it shall draw its warrant and the state treasurer shall pay to the treasurer of the association the amount of the appropriations made available for the association by s. 20.115 (4) (a) and (b) for the conduct of junior livestock shows and other livestock educational programs. The association may upon application to the state purchasing agent, upon such terms as he or she~~

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~~may require, obtain printing for the association under the state contract.~~

SECTION 575. 94.43 (3) of the statutes is amended to read:

94.43 (3) Application for a seed labeler's license shall be submitted on a form prescribed by the department and shall be accompanied by a fee based on the gross sales of seed within the state by the applicant under his or her own label during the previous 12 months prior to filing the application. Fees for a labeler's license shall be computed on gross sales according to the following schedule: Less than \$10,000, \$10 \$25; \$10,000 or more but less than \$25,000, \$25 \$50; \$25,000 or more but less than \$75,000, \$50 \$100; \$75,000 or more but less than \$200,000, \$75 \$150; and \$200,000 or more, \$100 \$200.

SECTION 576. 94.43 (4) of the statutes is amended to read:

94.43 (4) The license fee for a new applicant or for a person who did not sell seed under his or her own label during the previous 12 months shall be the minimum fee of \$10 \$25 for the first year or any part thereof.

~~SECTION 577c. 94.64 (3) (c) of the statutes is created to read:~~

~~94.64 (3) (c) 1. Except as provided in subd. 2, for each license fee paid under par. (b), a licensee shall pay an additional annual surcharge of \$25. The department shall deposit all moneys collected under this paragraph in the agrichemical management fund.~~

~~2. A licensee is not required to pay the surcharge under subd. 1 if the licensee is required to pay a surcharge under s. 94.685 (3) (c) or 94.703 (3) (c) for the same license period.~~

~~SECTION 577r. 94.64 (4) (av) of the statutes is created to read:~~

~~94.64 (4) (av) In addition to the fees under pars. (a), (am), (an) and (ar), a surcharge of 40 cents per ton shall be paid to the department for all fertilizers sold or distributed in this state. The department shall deposit all moneys collected under this paragraph in the agrichemical management fund.~~

~~SECTION 578g. 94.67 (3m) of the statutes is renumbered 94.67 (3m) (intro.) and amended to read:~~

~~94.67 (3m) (intro.) "Business location" means any all of the following:~~

~~(a) A place from which a commercial application business operates on a regular basis as a commercial applicator for hire.~~

~~SECTION 578r. 94.67 (3m) (b) and (c) of the statutes are created to read:~~

~~94.67 (3m) (b) A place, other than one at or immediately adjacent to a pesticide application site, at which more than 1,500 pounds of pesticide active ingredients are transferred from one container to another, including transfers to pesticide application equipment and nurse tanks, are repackaged or are mixed in dry or liquid form, during any year.~~

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(c) Two or more places owned or controlled by a commercial applicator for hire that are located at a distance of not more than 0.5 mile from each other at which a total of more than 1,500 pounds of pesticides active ingredients are mixed or loaded.

SECTION 579g. 94.68(3)(bt) of the statutes is created to read:

94.68(3)(bt) In addition to the fees under pars. (b), (bg) and (br), a licensee shall pay an additional surcharge for each nonhousehold pesticide product to be sold or distributed by the licensee in the license year that is based on the volume of the licensee's sales of the nonhousehold pesticide product for use within the state during the preceding year. The surcharge shall be the following amount:

1. For no sales or sales of less than \$25,000, \$20.
2. For sales equal to or greater than \$25,000 but less than \$75,000, \$250.
3. For sales equal to or greater than \$75,000, an amount equal to 1% of those sales.

SECTION 579r. 94.68(4)(a) 3 of the statutes is created to read:

94.68(4)(a) 3. All of the surcharges received under sub. (3)(bt).

SECTION 580g. 94.685 of the statutes is amended 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 ~~ehlordane~~ 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 ~~ehlordane~~ 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 ~~ehlordane~~ 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 ehlordane~~ or a restricted-use pesticide 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 ~~ehlordane~~ 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 580r. 94.685(3)(c) of the statutes is created to read:

94.685(3)(c) 1. Except as provided in subd. 2, for each license fee paid under par. (a), a licensee shall pay an additional surcharge of \$100 for the license period. For each license fee paid under par. (b), a licensee shall pay an additional surcharge of \$50 for the license period. The department shall deposit all moneys collected under this paragraph in the agricultural management fund.

2. A licensee is not required to pay the surcharge under subd. 1 if the licensee is required to pay a surcharge under s. 94.703(3)(c) for the same license period.

SECTION 581g. 94.703(2)(b) of the statutes is amended to read:

94.703(2)(b) The street address of every business location from which the licensee operates as a commercial applicator for hire in this state ~~or, if the business location has no street address, its legal description.~~

SECTION 581r. 94.703(3)(a) 2 of the statutes is amended to read:

94.703(3)(a) 2. If a licensee operates in this state from more than one business location, the licensee shall pay a ~~supplementary supplemental~~ license fee of \$100 for each additional business location operated by the licensee.

SECTION 582g. 94.703(3)(a) 3 of the statutes is amended to read:

94.703(3)(a) 3. For each new business location added during the license period the licensee shall pay a ~~supplementary supplemental~~ license fee of \$100.

SECTION 582r. 94.703(3)(b) 2 of the statutes is amended to read:

94.703(3)(b) 2. For each additional business location operated by the licensee, the ~~supplementary supplemental~~ license fee is \$50.

SECTION 583g. 94.703(3)(b) 3 of the statutes is amended to read:

94.703(3)(b) 3. For each new business location added during the license period, the ~~supplementary supplemental~~ license fee is \$50.

SECTION 583r. 94.703(3)(c) of the statutes is created to read:

94.703(3)(c) For each license fee paid under par. (a), a licensee shall pay an additional surcharge of \$150 for the license period. For each license fee paid under par. (b), a licensee shall pay an additional surcharge of \$75 for the license period. The department shall deposit all moneys collected under this paragraph in the agricultural management fund.

SECTION 584g. 94.704(3m) of the statutes is created to read:

94.704(3m) For each \$50 license fee paid under sub. (3), a licensee shall pay an additional surcharge of \$50 for the license period. For each \$25 license fee paid under sub. (3), a licensee shall pay an additional

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surcharge of \$25 for the license period. The department shall deposit all moneys collected under this subsection in the agrochemical management fund.

SECTION 584r. 94.705 (6) of the statutes is created to read:

94.705 (6) PRIVATE APPLICATOR SURCHARGE. A person certified as a private applicator under sub. (5) shall, before obtaining certification, pay a \$20 surcharge to the department. The department shall deposit all moneys collected under this subsection in the agrochemical management fund.

SECTION 585g. 94.709 of the statutes is created to read:

94.709 Site reporting. (1) A person who conducts pesticide mixing or loading operations shall report to the department the location of those operations that are required by the rules of the department to be conducted inside or over a containment structure.

(2) (a) Except as provided in par. (b), a person required to make a report to the department under sub. (1) shall make the report on the first day of the 3rd month following the effective date of this paragraph ... [revisor inserts date].

(b) For mixing or loading operations placed in operation on or after the effective date of this paragraph ... [revisor inserts date], no later than 60 days after the location is placed in operation.

(3) For each location reported under sub. (1), a person who is required to make a report shall report all of the following:

(a) The name and mailing address of the person who conducts mixing or loading operations at the location.

(b) The street address or legal description of the location.

(c) The name and mailing address of the person who owns the property where the mixing and loading operations are located.

(d) The common name of each pesticide active ingredient that may comprise more than 10% of the total pesticide active ingredients mixed or loaded at the location.

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SECTION 591m. 94.72 (1) (d) of the statutes is amended to read:

94.72 (1) (d) "Department" means the department of agriculture, and trade and consumer protection.

Vetoed
in Part

SECTION 592m. 94.73 of the statutes is created to read:

94.73 Agricultural chemical cleanup program. (1) DEFINITIONS. In this section:

(a) "Agricultural chemical" means a fertilizer or a nonhousehold pesticide.

(am) "Corrective action" means action taken to protect human health or the environment from a discharge.

(b) "Council" means the agricultural chemical cleanup council.

(c) "Corrective action costs" means the costs incurred by an eligible person to take corrective action. Vetoed
in Part

(d) "Discharge" means a release of an agricultural chemical into the waters of the state or on the land in a form or manner that is inconsistent with normal fertilizer use practices or with the label, as defined in s. 94.67 (19), of a nonhousehold pesticide and that creates a hazard to human health or the environment.

(e) "Eligible person" means a person who possesses or controls an agricultural chemical that is discharged or who causes a discharge, but does not include the state, a state agency, a political subdivision of the state, the federal government or an agency of the federal government.

(f) "Fertilizer" has the meaning given in s. 94.64 (1) (e), except that it does not include nitrates or other forms of nitrogen found in the environment.

(g) "Nonhousehold pesticide" has the meaning given in s. 94.68 (3) (a) 2, except that it does not include pentachlorophenol, inorganic arsenical wood preservatives and coal tar creosote.

(2) CORRECTIVE ACTION. (a) If the department determines that a discharge has occurred, the department shall immediately provide the department of natural resources with a preliminary assessment of the discharge. Except as provided in par. (b), the department may issue a special order requiring the person who is responsible for the discharge to take corrective action. The special order shall state the nature of the corrective action required, shall include a description of the property on which the corrective action is to be taken and shall specify a time period for achieving compliance. Special orders may be issued on a summary basis, without prior complaint, notice or hearing, where necessary to protect public health or the environment. A summary special order is subject to a subsequent right of hearing before the department, if requested within 10 days after the date on which the order is served. Any party affected by the order may request a preliminary or informal hearing pending the scheduling and conduct of a full hearing. Hearings, if requested, shall be conducted as expeditiously as possible after receipt of a request for a hearing. Enforcement of the order shall not be stayed pending action on the hearing.

(b) The department may not issue a special order under par. (a) unless all of the following apply:

1. The department of natural resources is unable to actively oversee the investigation and remediation of the discharge.

2. The department of natural resources does not make written contact with the person responsible for the discharge within 45 days after the receipt by the department of natural resources of the department's preliminary assessment of the discharge.

Vetoed
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3. The requirements of the special order are consistent with the requirements of s. 144.76 (3) or rules promulgated thereunder.

4. The department of natural resources has had the opportunity to review and comment on the special order before it is issued.

(3) QUALIFICATIONS FOR REIMBURSEMENT. An eligible person is qualified to receive reimbursement of corrective action costs incurred by the eligible person in taking voluntary corrective action, the corrective action required under sub. (2) or corrective action required by the department of natural resources to be taken by an emergency order or a special order issued under s. 144.76 (7) (c) if all of the following apply:

(a) The eligible person submits an application in the manner required by sub. (4).

(b) The corrective action costs were incurred after January 1, 1989.

(c) The department finds that the corrective action costs are reasonable and necessary.

(d) The eligible person complies with any written notice or special order requiring corrective action issued by the department under this section.

(e) The eligible person complies with any emergency order, special order or written notice issued by the department of natural resources under s. 144.76 (7) (c).

(f) The discharge was reported to the department of natural resources upon discovery, if required to be reported under s. 144.76 (2).

(g) The eligible person has complied with applicable site reporting requirements under s. 94.709.

(h) The eligible person submits any work plan required under sub. (3m) to the department in the manner required by sub. (3m).

(3m) WORK PLANS. An eligible person against whom the department or the department of natural resources has not issued an order for corrective action and who intends to take voluntary corrective action that exceeds \$30,000 in cost shall, in order to receive reimbursement under sub. (3), submit work plans, including any investigative findings, to the department no later than 30 days before beginning the corrective action. The department may waive this requirement in the case of an emergency.

(4) APPLICATION. (a) An eligible person who seeks reimbursement for corrective action costs shall submit an application to the department. The application shall be in the form required and contain information prescribed by the department.

(b) The department may issue a preliminary opinion on whether a person is eligible for reimbursement of corrective action costs. The opinion is not binding on the department.

(c) Within 10 days from the date of receipt of an application for reimbursement of corrective action costs, the department shall notify the applicant of receipt of the application and of the time in which the

department estimates that it will review the application.

(d) An eligible person whose application for reimbursement of corrective action costs is denied is entitled to a contested case hearing under s. 227.42.

(5) AMOUNT OF REIMBURSEMENT. (a) 1. If the department approves an application for reimbursement under sub. (4), it shall authorize reimbursement in an amount that is not greater than 90% of the total and necessary corrective action costs equal to or greater than \$5,000 but less than \$200,000. If the department or the department of natural resources issued a special order for corrective action requiring groundwater remediation, the department shall additionally authorize reimbursement in an amount that is equal to 90% of the total reasonable and necessary corrective action costs expended for groundwater investigation and remediation equal to or greater than \$200,000 but less than \$300,000.

2. The department may not reimburse an eligible person an amount that exceeds \$150,000 annually. If the department authorized reimbursement to an eligible person under subd. 1 in an amount that exceeds \$150,000, the department shall reimburse the eligible person the balance of the authorized amount by reimbursing the eligible person an amount not to exceed \$150,000 in each succeeding year until the full amount of the authorized reimbursement is paid.

(b) The department may not authorize reimbursement for any of the following corrective action costs:

1. The cost of an activity that does not contribute to the clean up of a discharge.

2. A cost related to the repair, replacement or upgrading of a facility, structure or equipment.

3. Loss of income.

4. Attorney fees.

5. Permanent relocation of residents.

6. Decreased property values.

7. The cost of an eligible person's time spent in planning and administering the corrective action.

8. Costs incurred for the review of corrective action work plans.

9. Aesthetic improvements.

10. The cost of corrective action that is not in compliance with federal, state or local safety codes.

11. A cost payable under an insurance or other contract.

12. The cost of replacing discharged agricultural chemicals.

13. The cost of providing alternative sources of drinking water.

(c) If the department determines that a discharge was caused by an intentional or grossly negligent violation of ss. 94.645 or 94.67 to 94.71 by an eligible person, the department shall authorize reimbursement only for that portion of corrective action costs not attributable to the violation.

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~~(4) An eligible person for whom the department authorizes reimbursement shall continue to assume responsibility for carrying out the requirements of any special order for corrective action issued by the department under this section or any emergency order or special order issued by the department of natural resources under s. 144.76 (7) (c) to the eligible person.~~

~~(e) If the department determines that an eligible person for whom it authorized reimbursement filed an application for reimbursement that contained a false statement or a misrepresentation, the eligible person shall refund the full amount of the reimbursement payment to the department and shall not be eligible for any further reimbursement payments relating to the discharge for which the application was filed. The amounts collected under this paragraph shall be deposited in the agrichemical management fund.~~

~~(6) PAYMENT. Beginning on May 1, 1993, the department shall pay an eligible person the reimbursement amount authorized under sub. (5) from the appropriation under s. 20.115 (7) (w).~~

~~(7) SUBROGATION. The department is entitled to the right of subrogation for the reimbursement of corrective action costs to the extent that an eligible person who receives reimbursement of corrective action costs may recover the costs from a 3rd party.~~

~~(8) SAMPLING REQUIREMENTS. The department in cooperation with the department of natural resources, shall establish a program for the collection and analysis of soil and other environmental samples at locations for which a report is made to the department under s. 94.709.~~

~~(9) DEPARTMENT DUTIES. The department shall do all of the following:~~

~~(a) Accept applications for reimbursement for corrective action costs.~~

~~(b) Determine the eligibility of applicants for reimbursement for corrective action costs.~~

~~(c) Determine the amount of reimbursement to which an applicant is entitled.~~

~~(d) Authorize or deny reimbursement to an eligible applicant.~~

~~(10) COUNCIL DUTIES. The council shall do all of the following:~~

~~(a) Advise the department on rules that are promulgated under this section.~~

~~(b) Advise the department on recommended increases and decreases of surcharges that fund reimbursement of corrective action costs.~~

~~(c) Advise the department on applications made for reimbursement of corrective action costs.~~

~~(d) Advise the department on any matter related to the administration of this section.~~

~~(e) Meet at least once a year.~~

~~(11) RULES. The department shall promulgate rules regarding the implementation of this section, including rules regarding all of the following:~~

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in Part**

~~(a) The form of the application required to be filed with the department by persons seeking reimbursement of corrective action costs.~~

~~(b) The procedures to be used by the department in determining eligibility for and the amount of reimbursement for corrective action costs.~~

~~(12) DEPARTMENTAL COOPERATION. The department shall cooperate with the department of natural resources in conducting its activities under this section.~~

~~(13) PENALTY. Any person who violates a special order issued under sub. (2) shall forfeit not less than \$10 nor more than \$500 for each violation. Each day of continued violation is a separate offense.~~

~~SECTION 593ac. 95.179 of the statutes is created to read:~~

~~**95.179 Bovine tuberculosis research.** The animal health and disease research board shall award funds appropriated under s. 20.115 (2) (e) to applicants for research on developing a blood test to detect bovine tuberculosis in commercially raised deer, as defined in s. 95.25 (5m). All funded research projects shall be conducted in this state. The animal health and research board shall monitor the fiscal status of research projects funded under this section.~~

~~SECTION 593acm. 95.232 of the statutes is amended to read:~~

~~**95.232 Confidentiality of paratuberculosis records.** Any information kept by the department that identifies the owners of livestock herds infected, or suspected of being infected, with paratuberculosis is not subject to inspection or copying under s. 19.35 (1) (a) except as the department determines is necessary to protect the public health, safety or welfare.~~

~~SECTION 593ad. 95.25 (5) of the statutes is amended to read:~~

~~95.25 (5) For Except as provided in sub. (5m), for each animal condemned and slaughtered unless otherwise provided by law, the owner shall receive and, upon certificate of the department, the state shall pay two-thirds of the difference between the net salvage and the appraised or agreed value of the animal, but such payment may not exceed \$600 for an animal.~~

~~SECTION 593ae. 95.25 (5m) of the statutes is created to read:~~

~~95.25 (5m) (a) In this subsection, "commercially raised deer" means an animal that is a member of the family cervidae and of the genus cervus or the genus dama and that is commercially raised for breeding or for use as food by humans.~~

~~(b) For each commercially raised deer condemned and slaughtered by the department to prevent or reduce the spread of bovine tuberculosis caused by mycobacterium bovis, the owner shall receive and, upon certificate of the department, the state shall pay the owner the difference between the net salvage and the appraised value of the commercially raised deer.~~

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**Vetoed
in Part**

SECTION 593af. 95.31 (3) of the statutes is amended to read:

95.31 (3) In addition to the indemnities for specific animal diseases provided under ss. 95.25, 95.26, 95.27 and 95.35 or under special emergency programs, the department shall pay indemnities on livestock condemned and destroyed because of unknown or unidentified contagions or infections, the cause or nature of which cannot be fully determined at the time of condemnation. Indemnities for unknown or unidentified diseases shall be equal to the difference between net salvage and appraised or agreed values, but not to exceed \$600. As used in this subsection, "livestock" means bovines, equines, swine, sheep, goats and poultry and commercially raised deer, as defined in s. 95.25 (5m).

Vetoed in Part

~~SECTION 593am. 96.04 (2) (c) of the statutes is amended to read:~~

~~96.04 (2) (c) Provisions relating to the correction or prohibition of agricultural trade practices which are found to be unfair under s. 100.20.~~

~~SECTION 593an. 97.01 (4) of the statutes is amended to read:~~

~~97.01 (4) "Department" means the department of agriculture, and trade and consumer protection.~~

SECTION 593ar. 97.20 (2) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

97.20 (2) (b) *License application.* An application for a dairy plant license shall be made on a form provided by the department and shall be accompanied by each applicable fee required under subs. (2c) and (2n) to (2w). The application shall include all information reasonably required by the department for purposes of licensing. The application shall state whether the dairy plant is a processing plant, receiving station or transfer station, and shall describe the nature of any processing operations conducted at the dairy plant.

SECTION 593at. 97.20 (2g) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

97.20 (2g) (a) (title) *Monthly procurement fee.* An applicant for a A dairy plant license operator shall pay a milk procurement fee on or before the 18th day of each month in the amount specified under par. (b) as follows:

1. An applicant for a license to operate The operator of a dairy plant that operated during the previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee based on the amount of milk that was delivered to the dairy plant from milk producers in the previous calendar year month preceding the month when the payment is due, whether or not that particular applicant dairy plant operator operated the dairy plant during the previous calendar year month preceding the month when the payment is due.

2. An applicant for a license to operate The operator of a dairy plant that has not been operated in the

previous calendar year month preceding the month when the payment is due shall pay a milk procurement fee in the month when the payment is due that is established by department rule.

~~SECTION 593am. 97.20 (3k) of the statutes is created to read:~~

~~97.20 (3k) REPORTING REQUIREMENTS. (a) Every processing plant shall, on or before the last day of every month, submit a report to the department on a form prescribed by the department that contains the name and address of each milk producer from whom the processing plant received milk during the month immediately preceding the date of the report.~~

~~(b) Every processing plant shall, on or before the last day of every month, submit a report to the department on a form prescribed by the department that states whether or not the processing plant received milk during the month immediately preceding the date of the report that was produced from cows that were administered synthetic bovine somatotropin. The department shall prescribe the use of a form under this paragraph that is separate from the form prescribed under par. (a).~~

~~SECTION 593au. 97.20 (3m) of the statutes is amended to read:~~

~~97.20 (3m) CONFIDENTIALITY. Any information kept by the department under this section or s. 97.24 that identifies individual milk producers who deliver milk to a dairy plant licensed under this section and that is a composite list for that dairy plant is not subject to inspection under s. 19.35 (1) (a) unless inspection is required under s. 100.06 (4) or unless the department determines that inspection is necessary to protect the public health, safety or welfare.~~

~~SECTION 593av. 97.22 (10) of the statutes is amended to read:~~

~~97.22 (10) CONFIDENTIALITY. Any information obtained and kept by the department under this section, under s. 97.24 or 97.52, or under rules promulgated under those sections, that pertains to individual milk producer production, milk fat and other component tests and quality records is not subject to inspection under s. 19.35 (1) (a) except as required under s. 100.06 (4) or except as the department determines is necessary to protect the public health, safety or welfare.~~

~~SECTION 593avm. 97.23 of the statutes is created to read:~~

~~97.23 Synthetic bovine somatotropin sales. (1) In this section, "sell at retail" has the meaning given in s. 100.201 (1) (d).~~

~~(2) No person may sell at retail synthetic bovine somatotropin unless the seller is a veterinarian licensed under ch. 453.~~

~~(3) A person who sells at retail synthetic bovine somatotropin shall report each sale, the date of the sale and the name of each person to whom it is sold to the department at the times and in the manner that the department prescribes by rule.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed
in Part

(4) Any information obtained and kept by the department under this section, or under rules promulgated under this section, is not subject to inspection under s. 19.35 except as the department determines is necessary to protect the public health, safety or welfare.

SECTION 593aw. 97.235 of the statutes is amended to read:

97.235 Supplemental bovine somatotropin research.

Except as provided in s. 36.25 (32), no person may administer supplemental bovine somatotropin to cows or conduct any scientific research that involves the administration of supplemental bovine somatotropin to cows. This section does not apply after June 1, 1991.

Vetoed
in Part

SECTION 593bd. 97.237 of the statutes is created to read:

97.237 Synthetic bovine somatotropin certification.

(1) In this section:

(a) "Milk producer" has the meaning given in s. 97.22 (1) (f).

(b) "Processing plant" has the meaning given in s. 97.20 (1) (h).

(2) No milk producer may use or direct the use of synthetic bovine somatotropin for the production of milk unless the person is certified by the department under this section.

(3) A milk producer applying for certification under this section shall submit an application to the department on a form prescribed by the department with a training fee established by the department under sub. (4) (d). The application shall include all of the following information:

(a) The applicant's name and mailing address.

(b) The name and address of every processing plant that receives milk from the applicant.

(c) Any other information reasonably required by the department for the administration of this section.

(4) (a) The department shall establish a program funded from the appropriation under s. 20.115 (1) (gr) to train milk producers who seek certification to use or direct the use of synthetic bovine somatotropin. The department may establish a program that does any of the following:

1. Requires milk producers to attend a training session approved by the department covering feed management, animal health and synthetic bovine somatotropin administration techniques.

2. Authorizes milk producers to engage in a self-study program using training materials available in training sessions approved by the department under subd. 1.

(b) The department shall require milk producers to take a written examination upon completion of training or self-study under par. (a). The department shall hold written examinations at a designated department office, a county extension office or a site approved by the department.

(c) Upon a milk producer's successful completion of a written examination, the department shall grant the milk producer certification for 5 years and shall issue the milk producer a certification number.

(d) The department shall, by rule, establish the fee for the training program established under par. (a). All fees collected by the department under this section shall be credited to the appropriation under s. 20.115 (1) (gr).

(e) The department may contract with any person from the appropriation under s. 20.115 (1) (gr) for services to administer the training or written examination required under this section.

(5) Before the first time that a person who holds a valid certificate under this section provides milk to a processing plant, he or she shall notify the department in writing of the name and address of that processing plant if the name and address of the processing plant was not listed in the certificate holder's application for certification.

SECTION 593bm. 97.24 (3) of the statutes is amended to read:

97.24 (3) 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 milk and fluid milk products, the inspection of dairy herds, dairy farms and dairy plants; the issuing and revocation of permits to milk producers and milk handlers, 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, and 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 593bng. 97.42 (1) (a) of the statutes is amended to read:

97.42 (1) (a) "Animal" means cattle, sheep, swine, goats, commercially raised deer, horses, mules, and other equines.

SECTION 593bnh. 97.42 (1) (cm) of the statutes is created to read:

Vetoed
in Part

Vetoed
in Part

97.42 (1) (cm) "Commercially raised deer" has the meaning given in s. 95.25 (5m).

SECTION 593bni. 97.42 (3) (a) of the statutes is amended to read:

97.42 (3) (a) *Examination before slaughter.* For the purpose of preventing the sale and use in this state of meat products and poultry products which are unwholesome or otherwise unfit for human food, the department shall cause to be made, by inspectors who may be veterinarians on either a ~~full~~ full-time or part-time basis under supervision of the department, examination and inspection of all animals and poultry ~~(except as provided in par. (d))~~ before they are slaughtered in any establishment, except as provided in pars. (d) and (em). All animals and poultry found on such inspection to show symptoms of disease shall be condemned or set apart and slaughtered separately from all other animals and poultry, and when so slaughtered the carcasses thereof shall be subject to careful examination, inspection and disposition, in accordance with rules issued by the department.

SECTION 593bnj. 97.42 (3) (b) of the statutes is amended to read:

97.42 (3) (b) *Examination after slaughter.* For the same purpose the department shall cause to be made, by inspectors (who may be veterinarians on either a full or part-time basis) under supervision of the department, an examination and inspection of the carcasses and parts thereof of all animals and poultry, ~~except as provided in par. (d),~~ slaughtered at any establishment, except as provided in pars. (d) and (em). The carcasses and parts thereof of all such animals and poultry found to be wholesome and fit for human food shall be marked, stamped, tagged or labeled by inspectors as "Wis. inspected and passed". Inspectors shall mark, stamp, tag or label as "Wis. inspected and condemned" all carcasses and parts thereof of such animals and poultry found to be unwholesome or otherwise unfit for human food, and all carcasses and parts thereof so inspected and condemned shall be destroyed, in accordance with rules issued by the department. Inspection marks, stamps, tags and labels shall be prescribed by the department and shall include thereon the identification number of the establishment assigned by the department.

SECTION 593bnk. 97.42 (3) (em) of the statutes is created to read:

97.42 (3) (em) *Slaughter of commercially raised deer.* The requirements of pars. (a) and (b) do not apply to the slaughter of a commercially raised deer if its meat food products are not sold by a person holding a restaurant permit under s. 50.51 or by an operator of a retail food establishment, as defined under s. 97.30 (1) (c). The operator of an establishment in which commercially raised deer, their carcasses or their meat food products are examined and inspected under this subsection shall pay the department for the cost of the department's examination and inspection.

SECTION 593bnL. 97.42 (4) (em) of the statutes is created to read:

97.42 (4) (em) The rate at which an operator of an establishment that slaughters commercially raised deer or processes the meat products of commercially raised deer shall pay the costs of examination and inspection under sub. (3) (em) and the manner in which the department shall collect those amounts.

SECTION 593bnm. 97.42 (5) (b) of the statutes is amended to read:

97.42 (5) (b) No county or municipality may collect any fees or charges for meat or poultry inspection or enforcement from any licensee under this section, except for overtime inspection work. ~~Such charges and the inspection of commercially raised deer.~~ Charges for overtime or for the inspection of commercially raised deer shall be on the same basis as and shall not exceed charges for overtime work or for the inspection of commercially raised deer prescribed by this section or by the rules of the department.

~~SECTION 593br. 100.02 of the statutes is amended to read:~~

~~100.02 Commission merchants, duties, must account. No person receiving any fruits, vegetables, melons, dairy, or poultry products or any perishable farm products of any kind or character, other than cattle, sheep, hogs or horses, referred to in this section as produce, for or on behalf of another, may without good and sufficient cause therefor, destroy, or abandon, discard as refuse or dump any produce directly or indirectly, or through collusion with any person, nor may any person knowingly and with intent to defraud make any false report or statement to the person from whom any produce was received, concerning the handling, condition, quality, quantity, sale or disposition thereof, nor may any person knowingly and with intent to defraud fail truly and correctly to account and pay over to the consignor therefor. The department of agriculture, and trade and consumer protection shall by rule provide for the making of prompt investigations and the issuing of certificates as to the quality and condition of produce received, upon application of any person shipping, receiving or financially interested in, such produce. Such rules shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least 2 disinterested persons in any case where such investigation is not made by an officer or employe of the department. A certificate made in compliance with such rules shall be prima facie evidence in all courts of the truth of the statements contained in the certificate as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a witness at the instance of either party, as to his or her qualifications and authority and~~

Vetoed
in Part

Vetoed in Part as to the truth of the statements contained in such certificate.

SECTION 593bt. 100.03 (5) (f) of the statutes is amended to read:

Vetoed in Part 100.03 (5) (f) *Closed to public inspection.* Notwithstanding s. 19.35, a A financial statement under this subsection may ~~is not be made~~ available for public inspection under s. 19.35 ~~(1)(a)~~. The department may use a financial statement in an enforcement action, administrative proceeding or court proceeding, and in that action or proceeding may release the financial statement to the parties, the hearing officer or the court under such conditions as the department or court considers appropriate. Except by agreement of the parties, a financial statement may not be made a part of the public record in an administrative or court proceeding, except as ordered by a court.

Vetoed in Part SECTION 593bv. 100.06 (2m) of the statutes is repealed and recreated to read:

100.06 (2m) (a) *First monthly payment.* A dairy plant operator's payment to a milk producer for milk received from that milk producer during the first 15 days of the month shall:

1. Be made before the 4th day of the following month.
2. Be an estimated price that is at least 80% of the class III price published by the regional federal milk market administrator for the month before the month in which the milk is received, or 80% of the price originally contracted for by the dairy plant operator and the milk producer, whichever is greater.

(b) *Second monthly payment.* A dairy plant operator shall pay a milk producer the balance due on the actual price for all milk received from that milk producer during the month before the 19th day of the following month.

Vetoed in Part SECTION 593c. 100.15 of the statutes is renumbered 130.15, and 130.15 (3) (g), as renumbered, is amended to read:

130.15 (3) (g) An entry blank or game piece redeemed for merchandise in a chance promotion exempt under s. 100.16 ~~130.16 (2)~~.

SECTION 593cm. 100.16 of the statutes is renumbered 130.16.

SECTION 593cd. 100.17 of the statutes is renumbered 130.17.

SECTION 593dm. 100.18 (title) and (1) of the statutes are renumbered 130.07 (title) and (1).

SECTION 593e. 100.18 (2) (a), (b) and (c) of the statutes are renumbered 130.07 (2) (b), (c) and (a).

SECTION 593em. 100.18 (3) to (10) of the statutes are renumbered 130.07 (3) to (10).

SECTION 593f. 100.18 (11) (a) of the statutes is renumbered 130.07 (11) (a) and amended to read:

130.07 (11) (a) The department of agriculture, trade and consumer protection shall enforce this section. Actions to enjoin violation of this section or any regu-

lations thereunder may be commenced and prosecuted by the department in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.

SECTION 593fm. 100.18 (11) (b) 1 of the statutes is repealed.

SECTION 593g. 100.18 (11) (b) 2 of the statutes is renumbered 130.07 (11) (b) 1.

SECTION 593gm. 100.18 (11) (b) 3 of the statutes is renumbered 130.07 (11) (b) 2 and amended to read:

130.07 (11) (b) 2. No action may be commenced under this section more than 3 years after the occurrence of the unlawful act or practice which is the subject of the action. No injunction may be issued under this section which would conflict with general or special rules or orders of the department or any statute, rule or regulation of the United States or of this state.

SECTION 593h. 100.18 (11) (c) of the statutes is renumbered 130.07 (11) (c).

SECTION 593hm. 100.18 (11) (d) of the statutes is renumbered 130.07 (11) (d) and amended to read:

130.07 (11) (d) The department or the department of justice or any district attorney, upon informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department of justice may subpoena persons, require the production of books and other documents, and may request the department to exercise its authority under par. (a) to aid in the investigation of alleged violations of this section.

SECTION 593j. 100.18 (11) (e) of the statutes is renumbered 130.07 (11) (e) and amended to read:

130.07 (11) (e) In lieu of instituting or continuing an action pursuant to this section, the department or the department of justice may accept a written assurance of discontinuance of any act or practice alleged to be a violation of this section from the person who has engaged in such act or practice. The acceptance of such assurance by either the department or the department of justice shall be deemed acceptance by the other state officials enumerated in par. (d) district attorney if the terms of the assurance so provide. An assurance entered into pursuant to this section shall not be considered evidence of a violation of this section, provided that violation of such an assurance shall be treated as a violation of this section, and shall be subjected to all the penalties and remedies provided therefor.

SECTION 593jm. 100.18 (12) of the statutes is renumbered 130.07 (12).

Vetoed in Part

Vetoed
in Part

~~SECTION 593k. 100.182 (title) and (1) to (4) of the statutes are renumbered 130.08 (title) and (1) to (4).~~

~~SECTION 593km. 100.182 (5) of the statutes is renumbered 130.08 (5) and amended to read:~~

~~130.08 (5) (a) Any district attorney, after informing the department of justice, or the department of justice or the department of agriculture, trade and consumer protection may seek a temporary or permanent injunction in circuit court to restrain any violation of this section. Prior to entering a final judgment the court may award damages to any person suffering monetary loss because of a violation. The department of justice may subpoena any person or require the production of any document to aid in investigating alleged violations of this section.~~

~~(b) In lieu of instituting or continuing an action under this subsection, the department of agriculture, trade and consumer protection or the department of justice may accept a written assurance from a violator of this section that the violation has ceased. If the terms of the assurance so provide, its acceptance by either the department prevents the other department and all district attorneys from prosecuting the violation. An assurance is not evidence of a violation of this section but violation of an assurance is subject to the penalties and remedies of violating this section.~~

~~SECTION 593L. 100.20 (title) of the statutes is amended to read:~~

~~100.20 (title) Methods of competition and trade practices in agricultural business.~~

~~SECTION 593Lm. 100.20 (1) of the statutes is renumbered 100.26 (1f) and amended to read:~~

~~100.26 (1f) Methods of competition in agricultural business and trade practices in agricultural business shall be fair. Unfair methods of competition in agricultural business and unfair trade practices in agricultural business are hereby prohibited.~~

~~SECTION 593m. 100.20 (1) of the statutes is created to read:~~

~~100.20 (1) In this section, "agricultural business" means any business related to agriculture or to the activities regulated by the department under chs. 93 to 100.~~

~~SECTION 593n. 100.20 (1m) of the statutes is repealed.~~

~~SECTION 593nm. 100.20 (2) of the statutes is amended to read:~~

~~100.20 (2) The department, after public hearing, may issue general orders forbidding methods of competition in agricultural business or trade practices in agricultural business which are determined by the department to be unfair. The department, after public hearing, may issue general orders prescribing methods of competition in agricultural business or trade practices in agricultural business which are determined by the department to be fair.~~

~~SECTION 593p. 100.20 (3) of the statutes is amended to read:~~

~~100.20 (3) The department, after public hearing, may issue a special order against any person, enjoining such person from employing any method of competition in agricultural business or trade practice in agricultural business which is determined by the department to be unfair. The department, after public hearing, may issue a special order against any person, requiring such person to employ the method of competition in agricultural business or trade practice in agricultural business which is determined by the department to be fair.~~

~~SECTION 593pm. 100.205 (title) and (1) to (4) of the statutes are renumbered 130.19 (title) and (1) to (4).~~

~~SECTION 593q. 100.205 (5) of the statutes is renumbered 130.19 (5), and 130.19 (5) (a), as renumbered, is amended to read:~~

~~130.19 (5) (a) No person may make any warranty advertisement which is untrue, deceptive or misleading as provided in s. 100.18 130.07.~~

~~SECTION 593qm. 100.205 (6) of the statutes is renumbered 130.19 (6).~~

~~SECTION 593r. 100.205 (7) of the statutes is renumbered 130.19 (7) and amended to read:~~

~~130.19 (7) The department of justice, or any district attorney on informing the department of justice, may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may, before entry of final judgment and after satisfactory proof, make orders or judgments necessary to restore to any person any pecuniary loss suffered because of a violation of this section. The department of justice may conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its investigation of violations of this section.~~

~~SECTION 593s. 100.205 (8) of the statutes is renumbered 130.19 (8) and amended to read:~~

~~130.19 (8) The department of justice or any district attorney may commence an action in the name of the state to recover a forfeiture to the state of not more than \$10,000 for each violation of this section.~~

~~SECTION 593t. 100.205 (9) of the statutes is renumbered 130.19 (9) and 130.19 (9) (a), as renumbered, is amended to read:~~

~~130.19 (9) (a) In addition to other remedies, any person injured by a violation of this section may bring a civil action for damages under s. 100.20 (5) 130.09 (6).~~

~~SECTION 593u. 100.21 (title) of the statutes is renumbered 130.20 (title).~~

~~SECTION 593v. 100.21 (1) of the statutes, as affected by 1991 Wisconsin Act... (this act) is renumbered 130.20 (1) and 130.20 (1) (b) 2, (intro.), as renumbered, is amended to read:~~

~~130.20 (1) (b) 2, (Intro.) A product or a consumer product, as defined in s. 100.42 130.31 (1) (c).~~

Vetoed
in Part

SECTION 594. 100.21 (1) (a) of the statutes is amended to read:

100.21 (1) (a) "Dwelling unit" means a dwelling, as defined under s. 101.61, a manufactured building, as defined under s. 101.71 or a manufactured home or mobile home, as defined under s. 101.91, or a multi-family dwelling, as defined under s. 101.971 (2).

Vetoed in Part SECTION 594am. 100.21 (2) of the statutes is renumbered 130.20 (2), and 130.20 (2) (a), as renumbered, is amended to read:

130.20 (2) (a) No person may make an energy savings or safety claim without a reasonable and currently accepted scientific basis for the claim when the claim is made. Making an energy savings or safety claim without a reasonable and currently accepted scientific basis is an unfair method of competition and trade practice prohibited under s. 100.20 130.09.

SECTION 594b. 100.21 (3) of the statutes is renumbered 130.20 (3), and 130.20 (3) (a), as renumbered, is amended to read:

130.20 (3) (a) Any person making an energy savings or safety claim shall, upon written request by the department, submit information upon which the person relied to substantiate the claim. The department of justice may request the department to issue a written request under this paragraph for information to substantiate an energy savings or safety claim. Failure to submit information requested under this subsection is a violation of sub. (2) (a).

SECTION 594bm. 100.21 (4) of the statutes is renumbered 130.20 (4), and 130.20 (4) (a) (intro.), as renumbered, is amended to read:

130.20 (4) (a) (intro.) The department may, after public hearing, promulgate rules or issue general or special orders under s. 100.20 130.09.

SECTION 594c. 100.21 (6) of the statutes is renumbered 130.20 (6).

SECTION 594cm. 100.215 of the statutes is renumbered 130.12.

SECTION 594cp. 100.22 (1) of the statutes is amended to read:

100.22 (1) PROHIBITION. No Except as provided in sub. (1m), no person engaged in the business of buying milk from producers for the purpose of manufacture, processing or resale may discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk if the discrimination injures producers or injures, destroys or prevents competition between competing purchasers of milk.

SECTION 594cq. 100.22 (1m) of the statutes is created to read:

100.22 (1m) MILK PRICING. A person engaged in the business of buying milk from producers for the purpose of manufacture, processing or resale may pay producers different prices for the purchase of milk

based on differences in milk quality, if all of the following apply:

(a) Before making any payments to producers, the person engaged in the business of buying milk from producers establishes a payment method based on differences in milk quality determined by an actual measured difference in bacteria count, somatic cell count, enzyme level or drug residue findings in the milk.

(b) Before making any payments to producers, the person engaged in the business of buying milk from producers announces, and offers to make payments in accordance with, the payment method established under par. (a) to all producers from whom the person buys milk.

(c) The person engaged in the business of buying milk from producers makes payments to all milk producers from whom the person purchases milk in accordance with the payment method established under par. (a).

(d) The payment method established under par. (a) is not part of any other method used to discriminate between producers in the price paid for milk or in services furnished in connection with the purchase of milk.

SECTION 594cr. 100.22 (3) of the statutes is amended to read:

100.22 (3) JUSTIFICATION DEFENSE. It is a defense to a prosecution for violation of this section or a special order issued under this section to prove that the discrimination in price or services was done in good faith to meet competition or was commensurate with an actual difference in the quality or quantity of or transportation charges or marketing expenses for the milk purchased.

Vetoed in Part SECTION 594d. 100.26 (1) of the statutes is amended to read:

100.26 (1) Any person who violates any provision of this chapter, except s. 100.18 or 100.20, for which no specific penalty is prescribed shall be fined not to exceed \$200, or imprisoned in the county jail for not more than 6 months or both.

SECTION 594dm. 100.26 (3) of the statutes is amended to read:

100.26 (3) Any person who violates s. 100.15 or 100.19, or who intentionally refuses, neglects or fails to obey any regulation rule promulgated or order made or issued under s. 100.19 or 100.20, shall, for each offense, be fined not less than \$25 nor more than \$5,000, or imprisoned in the county jail for not more than one year or both.

SECTION 594e. 100.26 (4) of the statutes is repealed.

SECTION 594em. 100.26 (5) of the statutes is amended to read:

100.26 (5) Any person violating s. 100.06 or any rule or order or regulation of the department thereunder or 100.18 (2) shall be fined not less than \$100 nor more than \$1,000 or imprisoned for not more than

Vetoed
in Part

one year or both. Each day of violation constitutes a separate offense.

SECTION 594f. 100.26 (6) of the statutes is amended to read:

100.26 (6) The department of justice or any district attorney may commence an action in the name of the state to recover a civil forfeiture to the state of not less than \$100 nor more than \$10,000 for each violation of an injunction issued under s. 100.18, 100.182 or 100.20 (6) or an order issued under s. 100.20.

SECTION 594fm. 100.26 (7) of the statutes is repealed.

SECTION 594g. 100.28 of the statutes is renumbered 130.21.

SECTION 594gm. 100.285 of the statutes, as affected by 1991 Wisconsin Act 36, is renumbered 130.22.

SECTION 594h. 100.29 of the statutes is renumbered 130.23.

SECTION 594hm. 100.295 of the statutes is renumbered 130.24.

SECTION 594i. 100.297 (title) of the statutes is renumbered 130.25 (title).

SECTION 594im. 100.297 (1) of the statutes is renumbered 130.25 (1) and amended to read:

130.25 (1) DEFINITION. In this section, "plastic container" means a plastic container, as defined in s. 100.24 130.26 (1) (c), that is required to be labeled under s. 100.24 130.26 (2).

SECTION 594j. 100.297 (2) and (3) of the statutes are renumbered 130.25 (2) and (3).

SECTION 594jm. 100.31 of the statutes is renumbered 130.13.

SECTION 594k. 100.33 of the statutes is renumbered 130.26.

SECTION 594km. 100.35 (title) and (1) of the statutes are renumbered 130.27 (title) and (1).

SECTION 594l. 100.35 (2) of the statutes is renumbered 130.27 (2) and amended to read:

130.27 (2) Any person violating this section shall be punished as provided in s. 100.26 130.34 (1).

SECTION 594lm. 100.37 (title) and (1m) of the statutes are renumbered 130.28 (title) and (1m).

SECTION 594n. 100.37 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 130.28 (1).

SECTION 594nm. 100.37 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 130.28 (2), and 130.28 (2) (e) 1, as renumbered, is amended to read:

130.28 (2) (e) 1. The department may summarily ban the sale or distribution of any hazardous substance or article if it finds that the hazard to public health or safety is so great that such hazard should not be permitted to continue. The department shall follow the procedure specified in s. 93.18 130.06 (3).

SECTION 594p. 100.37 (3) and (4) of the statutes are renumbered 130.28 (3) and (4).

Vetoed
in Part

SECTION 594pm. 100.37 (5) of the statutes is renumbered 130.28 (5) and amended to read:

130.28 (5) If the department has reasonable cause to believe that any substance is in violation of this section or poses an imminent hazard to public health or safety, it may deliver to the owner or custodian thereof an order prohibiting the sale or movement of such substance until an analysis or examination has been completed. Such holding order is not effective for more than 14 days from the time of delivery thereof. The substance described in any such holding order may not be sold or moved for any purpose without the approval of the department. If the department, after analysis or examination, determines that the substance described in such order is not in violation of this section, it shall promptly notify the owner or custodian thereof and such notice shall terminate the holding order. If the analysis or examination shows that the substance is in violation of this section, the owner or custodian thereof shall be so notified in writing within the effective time of the holding order. Upon receipt of such notice the owner or custodian may dispose of the substance only as authorized by the department. The owner or custodian of the substance or article may within 10 days of receipt of such notice petition for a hearing as provided in s. 93.18 130.06.

SECTION 594q. 100.37 (6) to (8) of the statutes are renumbered 130.28 (6) to (8).

SECTION 594qm. 100.38 (title), (1) and (2) of the statutes are renumbered 130.29 (title), (1) and (2).

SECTION 594r. 100.38 (3) of the statutes is renumbered 130.29 (3), and 130.29 (3) (c), as renumbered, is amended to read:

130.29 (3) (c) It does not bear a statement warning of any hazard of substantial injury to human beings which may result from the intended use or reasonably foreseeable misuse of the antifreeze, and which complies with the requirements of s. 100.37 130.28.

SECTION 594sm. 100.38 (5) to (7) of the statutes are renumbered 130.29 (5) to (7).

SECTION 594s. 100.41 (title) and (1) to (4) of the statutes are renumbered 130.30 (title) and (1) to (4).

SECTION 594tm. 100.41 (5) of the statutes is renumbered 130.30 (5) and amended to read:

130.30 (5) REMOVAL FROM SALE. The department may summarily ban the sale or distribution of any furnishing, fabric, product or related material if it finds that the hazard of flammability is so great that such hazard should not be permitted to continue prior to the time a hearing can be held. The department shall follow the procedure specified in s. 93.18 130.06 (3).

SECTION 594u. 100.42 (title), (1) and (2) of the statutes are renumbered 130.31 (title), (1) and (2).

SECTION 594vm. 100.42 (3) of the statutes is renumbered 130.31 (3), and 130.31 (3) (a) and (b) (Intro.), as renumbered, are amended to read:

**Vetoed
in Part**

~~130.31 (3) (a) The department may summarily ban the sale of any consumer product manufactured, sold or distributed in violation of this section or any rule adopted under this section, or which presents an unreasonable risk of injury or imminent hazard to the public health, welfare and safety. Any such product may be summarily banned notwithstanding the existence of applicable safety standards or action taken toward the development or adoption of a standard. The department shall follow the procedure specified in s. 92.18 130.06 (3).~~

~~(b) (intro.) If the department determines that a product presents a substantial hazard or risk of injury, the department may, after notice and opportunity for hearing under s. 92.18 130.06, order the manufacturer, distributor or retailer of such product.~~

~~SECTION 594b. 100.42 (4) of the statutes is renumbered 130.31 (4).~~

~~SECTION 594bm. 100.42 (5) of the statutes is renumbered 130.31 (5) and amended to read:~~

~~130.31 (5) EXEMPTIONS. Except with respect to a consumer product which is the subject of a temporary or permanent injunction or an a rule or order of the department banning its manufacture, sale or distribution, sub. (4) does not apply to any person who holds a certificate issued in accordance with section 14 (a) of the federal act to the effect that such consumer product conforms to all applicable consumer product safety standards under such act, unless such person knows that such consumer product does not conform; or to any person who relies in good faith on the representation of the manufacturer or distributor of such product that the product is not subject to an applicable safety standard under the federal act.~~

~~SECTION 594v. 100.43 (title) of the statutes is renumbered 130.32 (title).~~

~~SECTION 594vm. 100.43 (1) of the statutes is renumbered 130.32 (1), and 130.32 (1) (e), as renumbered, is amended to read:~~

~~130.32 (1) (e) "Hazardous substance" has the meaning given under s. 100.37 130.28 (1) (c).~~

~~SECTION 594w. 100.43 (2) of the statutes is renumbered 130.32 (2).~~

~~SECTION 594wm. 100.43 (3) of the statutes is renumbered 130.32 (3), and 130.32 (3) (b), as renumbered, is amended to read:~~

~~130.32 (3) (b) If it is determined that a household substance packaged in noncomplying package is not also being supplied by the manufacturer or packer in popular size packages which comply with special packaging standards, the department may by special order require the manufacturer or packer of such substance to package it exclusively in special packaging complying with applicable standards.~~

~~SECTION 594x. 100.43 (4) of the statutes is renumbered 130.32 (4), and 130.32 (4) (b), as renumbered, is amended to read:~~

**Vetoed
in Part**

~~130.32 (4) (b) The department may summarily ban the sale or distribution of any household substance which is sold or offered for sale in violation of this section or of any rules or order issued under this section. The department shall follow the procedure specified in s. 92.18 130.06 (3).~~

~~SECTION 594y. 100.45 of the statutes, as affected by 1991 Wisconsin Act 97, is renumbered 130.33.~~

~~SECTION 596. 101.02 (7m) of the statutes is created to read:~~

~~101.02 (7m) Notwithstanding sub. (7) (a), no city, village or town may make or enforce any ordinance that is applied to any multifamily dwelling, as defined in s. 101.971 (2), and that does not conform to subch. VI and this section or is contrary to an order of the department under ss. 101.01 to 101.25, except that if a city, village or town has a preexisting stricter sprinkler ordinance, as defined in s. 101.975 (3) (a), that ordinance remains in effect, except that the city, village or town may take any action with regard to that ordinance that a political subdivision may take under s. 101.975 (3) (b).~~

~~SECTION 596m. 101.08 (9) of the statutes is amended to read:~~

~~101.08 (9) ENFORCEMENT. To ensure compliance with this section, the department of agriculture and trade and consumer protection shall respond to reasonable consumer complaints related to the requirements of this section and may conduct inspections of the business places of persons who sell covered products and construction sites where appliances are being installed. The department of agriculture and trade and consumer protection may act under ch. 93 to administer this subsection.~~

~~SECTION 596r. 101.09 (3) (b) of the statutes is amended to read:~~

~~101.09 (3) (b) The department may transfer any information which the department receives under par. (a) to any other agency or governmental unit. Notwithstanding s. 19.35, the The department and any such agency shall treat the name of the owner and the location of any noncommercial storage tank which stores heating oil for consumptive use on the premises, required to be submitted to the department under par. (a), as confidential and shall not permit inspection or copying under s. 19.35 (1) (a) of any record containing the information.~~

~~SECTION 597. 101.122 (6) of the statutes is amended to read:~~

~~101.122 (6) PROOF OF CERTIFICATION OR EXCLUSION REQUIRED FOR RECORDATION. A register of deeds may not accept for recording any deed or other document of transfer of real estate which includes a rental unit unless the deed or document is accompanied by the certificate required under sub. (4) (a), a waiver under sub. (4) (b) or a stipulation under sub. (4) (c). The department shall prescribe for use under s. 77.22 (4) (b) (2) a form setting forth the reasons why trans-~~

**Vetoed
in Part**

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in Part**

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in Part**

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ferred real estate is not subject to certification under sub. (4) (a), waiver under sub. (4) (b) or stipulation under sub. (4) (c). A register of deeds shall record the certificate, waiver or stipulation.

SECTION 597m. 101.135 of the statutes is created to read:

101.135 Uniform firewall identification. (1) The department shall promulgate rules that specify uniform dimensions, design and other characteristics for signs used to identify firewalls. The rules may not specify firewall signs that are more expensive than necessary to accomplish their purpose.

(2) Whenever a city, village or town provides by ordinance for the identification of firewalls, the provisions of the ordinance shall conform to the rules promulgated under sub. (1).

SECTION 598. 101.14 (4m) of the statutes is created to read:

101.14 (4m) (a) In this subsection:

1. "Automatic fire sprinkler system" has the meaning given in s. 145.01 (2).

2. "Dwelling unit" has the meaning given in s. 101.61 (1).

3. "Multifamily dwelling" has the meaning given in s. 101.971 (2).

4. "Nondwelling unit portions" means the common use areas of a multifamily dwelling, including corridors, stairways, basements, cellars, vestibules, atriums, community rooms, laundry rooms or swimming pool rooms.

5. "Political subdivision" means a county, city, village or town.

5m. "Two-hour fire resistance" means 2-hour fire separations for all walls that separate dwelling units, exit corridors and exit stair enclosures and for all floors and ceilings, so that the specified walls, floors and ceilings are capable of resisting fire for a period not shorter than 2 hours.

(am) A political subdivision may enact ordinances, as provided in this paragraph, that require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling. Any ordinance enacted under this paragraph shall meet the standards established under pars. (b) and (c) or under pars. (d) and (e).

(b) The department shall require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling that contains any of the following:

1. Total floor area, for all individual dwelling units, exceeding 16,000 square feet.

2. More than 20 dwelling units.

3. Total floor area of its nondwelling unit portions exceeding the limits established in par. (c).

(c) An automatic fire sprinkler system or 2-hour fire resistance is required under par. (b) in a multifamily dwelling constructed by any of the following types of construction if the total floor area of the nondwelling unit portions in the multifamily dwelling exceeds the following:

1. Type 1 fire resistive construction, 16,000 square feet.

2. Type 2 fire resistive construction, 12,000 square feet.

3. Type 3 metal frame protected construction, 8,000 square feet.

4. Type 4 heavy timber construction, 5,600 square feet.

5. Type 5A exterior masonry protected, 5,600 square feet.

6. Type 5B exterior masonry unprotected, 5,600 square feet.

7. Type 6 metal frame unprotected, 5,600 square feet.

8. Type 7 wood frame protected construction, 5,600 square feet.

9. Type 8 wood frame unprotected construction, 4,800 square feet.

(d) A political subdivision's ordinances, enacted to meet the requirements of this paragraph and par. (e), shall require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling that contains any of the following:

1. Total floor area, for all individual dwelling units, exceeding 8,000 square feet.

2. More than 8 dwelling units.

3. Total floor area of its nondwelling unit portions exceeding the limits established in par. (e).

(e) A political subdivision's ordinances, enacted to meet the standards established in par. (d) and this paragraph, shall require an automatic fire sprinkler system or 2-hour fire resistance in every multifamily dwelling that is constructed by any of the following types of construction if the total floor area of the nondwelling unit portions in the multifamily dwelling exceeds the following:

1. Type 1 fire resistive construction, 12,000 square feet.

2. Type 2 fire resistive construction, 10,000 square feet.

3. Type 3 metal frame protected construction, 8,000 square feet.

4. Type 4 heavy timber construction, 5,600 square feet.

5. Type 5A exterior masonry protected, 5,600 square feet.

6. Type 5B exterior masonry unprotected, 5,600 square feet.

7. Type 6 metal frame unprotected, 5,600 square feet.

8. Type 7 wood frame protected construction, 5,600 square feet.

9. Type 8 wood frame unprotected construction, 4,800 square feet.

~~SECTION 598b. 101.143 (1) (g) of the statutes is amended to read:~~

~~101.143 (1) (g) "Petroleum product storage system" means a storage tank that is located in this state~~

Vetoed
in Part

Vetoed in Part and is used to store petroleum products together with any on site integral piping or dispensing system. The term does not include pipeline facilities, tanks of 110 gallons or less capacity, farm and residential tanks of 1,100 gallons or less capacity storing petroleum products that are not for resale, tanks, except farm tanks, used for storing heating oil for consumptive use on the premises where stored or tanks owned by this state or the federal government.

SECTION 598bg. 101.143 (2) (a) of the statutes is repealed.

Vetoed in Part SECTION 598bm. 101.143 (4) (a) 6 of the statutes is created to read:

101.143 (4) (a) 6. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. 20.445 (1) (v) for awards for farm tanks of 1,100 gallons or less capacity.

Vetoed in Part SECTION 598d. 101.175 (3) (intro.) of the statutes is amended to read:

101.175 (3) (intro.). The department, in consultation with the department of agriculture, trade and consumer protection justice, shall establish by rule quality standards for local energy resource systems which do not impede development of innovative systems but which do:

SECTION 598h. 101.175 (6) of the statutes is amended to read:

101.175 (6) Misrepresentation, misuse or duplication of the department seal of quality issued under sub. (5) shall be deemed deceptive advertising under s. 100.12 130.07 (9m).

SECTION 598p. 101.177 (1) (b) of the statutes is amended to read:

101.177 (1) (b) "Ozone-depleting refrigerant" has the meaning given in s. 100.45 130.33 (1) (d).

SECTION 598t. 101.177 (1) (c) of the statutes, as affected by 1991 Wisconsin 97, is amended to read:

101.177 (1) (c) "Refrigeration equipment" means mechanical vapor compression refrigeration equipment except for a mobile air conditioner, as defined in s. 100.45 130.33 (1) (b), or trailer refrigeration equipment, as defined in s. 100.45 130.33 (1) (e).

SECTION 599. 101.19 (1) (f) of the statutes is amended to read:

101.19 (1) (f) Defraying the cost of the manufactured dwelling and program, the one- and two-family dwelling programs and the multifamily dwelling program.

Vetoed in Part SECTION 599g. 101.58 (2) (i) of the statutes is amended to read:

101.58 (2) (i) "Pesticide" means any substance or mixture of substances which is registered with the federal environmental protection agency under 7 USC 136 to 136y or the department of agriculture, and trade and consumer protection under ch. 94, and which is labeled, designed or intended to prevent,

destroy, repel or mitigate any pest or as a plant regulator, defoliant or desiccant.

Vetoed in Part

SECTION 599. 101.586 of the statutes is amended to read:

101.586 Pesticide information requirements; employer or agricultural employer to employee. Within 72 hours of a request from an employee or employee representative, exclusive of weekends and legal holidays, an employer or agricultural employer shall provide the requesting employee or employee representative with access to the container label or the information required by the federal environmental protection agency or the department of agriculture, and trade and consumer protection to be on the container label, for any pesticide with which the employee works or to which the employee is likely to be exposed.

SECTION 600. Subchapter VI of chapter 101 of the statutes is created to read:

CHAPTER 101

SUBCHAPTER VI

MULTIFAMILY DWELLING CODE

101.971 Definitions. In this subchapter:

(1) "Dwelling unit" has the meaning given in s. 101.61 (1).

(2) "Multifamily dwelling" means an apartment building, rowhouse, town house, condominium or manufactured building, as defined in s. 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of 3 or more attached dwelling units the initial construction of which is begun on or after January 1, 1993. "Multifamily dwelling" does not include a facility licensed under ch. 50.

(3) "Owner" means a person having a legal or equitable interest in a multifamily dwelling.

(4) "Political subdivision" means a county, city, village or town.

101.972 Multifamily dwelling code council duties.

The multifamily dwelling code council shall review the rules for multifamily dwelling construction and recommend a uniform multifamily dwelling code for promulgation by the department. The council shall consider and make recommendations to the department pertaining to rules and any other matters related to this subchapter. The council shall identify, consider and make recommendations to the department regarding variances in the rules for different climate and soil conditions and the variable conditions created by building and population densities.

101.973 Department duties. The department shall:

(1) Promulgate rules that establish standards for the construction of multifamily dwellings and their components.

(2) Biennially review the rules promulgated under this subchapter.

(3) Issue any special order that it considers necessary to secure compliance with this subchapter.

(4) Prescribe and furnish to political subdivisions a standard building permit format for all multifamily dwellings subject to this subchapter.

(5) Collect and publish the data secured from the building permits.

(6) Hear under s. 101.02 (6) (e) to (i) and (8) petitions regarding the rules promulgated and special orders issued under this subchapter.

(7) Establish by rule a schedule of fees sufficient to defray the costs incurred by the department under this subchapter.

(8) Deposit the moneys received from the fees under sub. (7) in the appropriation under s. 20.445 (1) (j).

(9) Incorporate by reference in the rules promulgated under this subchapter all rules promulgated under subch. I that apply to multifamily dwellings.

(10) Establish a program of quality control training for all inspectors who inspect multifamily dwellings for compliance with this subchapter.

(11) Contract with the legislative audit bureau to make periodic performance audits of any division of the department that is responsible for inspections of multifamily dwellings.

101.974 Department powers. The department may:

(1) Hold hearings on any matter relating to this subchapter and issue subpoenas to compel the attendance of witnesses and the production of evidence at such hearings.

(2) Promulgate the rules under this subchapter after consultation with the multifamily dwelling code council.

(3) Provide for or engage in the testing, approval and certification of materials, methods and equipment of construction.

(4) Promulgate rules prescribing procedures for approving new building materials, methods and equipment.

(5) Study the administration of the rules promulgated under this subchapter and other laws related to the construction of multifamily dwelling units to determine their impact on the cost of building construction and their effectiveness in ensuring the health, safety and welfare of the occupants.

101.975 Local government authority. (1) A political subdivision may regulate the construction and installation of windows and doors in multifamily dwellings if the regulation is related to preventing illegal entry.

(2) A political subdivision shall use the standard building permit format prescribed and furnished by the department under s. 101.973 (4) and file a copy of each permit issued with the department.

(3) (a) In this subsection, "preexisting stricter sprinkler ordinance" means an ordinance that fulfills all of the following requirements:

1. The ordinance requires an automatic sprinkler system in every multifamily dwelling and the ordinance applies to multifamily dwellings containing 20 or less attached dwelling units.

2. The ordinance was in effect on January 1, 1992, and remains in effect on the effective date of this subdivision [revisor inserts date].

3. The ordinance does not conform to this subchapter and s. 101.02 (7m) or is contrary to an order of the department under ss. 101.01 to 101.25.

4. The ordinance is more stringent than the corresponding provision of this subchapter or s. 101.02 or the contrary provision of an order of the department under ss. 101.01 to 101.25.

(b) If a political subdivision has a preexisting stricter sprinkler ordinance, that ordinance remains in effect, except that the political subdivision may amend the ordinance to conform to this subchapter and s. 101.02 (7m) and to be not contrary to an order of the department under ss. 101.01 to 101.25.

101.976 Fire chief and inspector powers and duties. This subchapter does not restrict the duties and powers of fire chiefs or inspectors under s. 101.14 (2).

101.977 Compliance. A person who constructs a multifamily dwelling shall use building materials, methods and equipment that are in conformance with the standards prescribed under s. 101.973 (1).

101.978 Penalties. Any person who violates this subchapter or any rules promulgated under this subchapter shall forfeit not less than \$25 nor more than \$500 for each offense. Each day of continued violation constitutes a separate offense.

SECTION 601m. 108.09 (5) (a) of the statutes is amended to read:

108.09 (5) (a) ~~The~~ Except as provided in s. 901.05, the manner in which claims shall be presented, the reports thereon required from the employe and from employers, and the conduct of hearings and appeals shall be governed by general department rules ~~for~~ whether or not they conform to common law or statutory rules of evidence and other technical rules of procedure) ~~for~~ determining the rights of the parties.

SECTION 601q. 108.141 (1) (e) (intro.) of the statutes is amended to read:

108.141 (1) (e) (intro.) ~~There~~ Except as provided in sub. (1m), there is a Wisconsin "off" indicator for a week if the department determines, in accordance with the regulations of the U.S. secretary of labor, that, for the period consisting of such week and the immediately preceding 12 weeks, the Wisconsin rate of insured unemployment (not seasonally adjusted):

SECTION 601r. 108.141 (1m) of the statutes is created to read:

108.141 (1m) ADDITIONAL FEDERALLY FUNDED BENEFITS. The governor may, by executive order, elect to establish a Wisconsin "off" indicator in order to allow for the payment of additional federally funded benefits in lieu of extended benefits during a period specified in the order, if such an election is permitted by federal law. Any such indicator is effective at the beginning of the week in which additional federally funded benefits are initially payable or the beginning

of the 4th week after the week in which the governor issues the order, whichever is later.

SECTION 601s. 108.142 (1) (c) (intro.) of the statutes is amended to read:

108.142 (1) (c) (intro.) ~~There~~ Except as provided in sub. (1m), there is a Wisconsin "off" indicator under this section for a week if the department determines that, for the period consisting of that week and the immediately preceding 12 weeks, the Wisconsin rate of insured unemployment (not seasonally adjusted):

SECTION 601t. 108.142 (1m) of the statutes is created to read:

108.142 (1m) **ADDITIONAL FEDERALLY FUNDED BENEFITS.** The governor may, by executive order, elect to establish a Wisconsin "off" indicator in order to allow for the payment of additional federally funded benefits in lieu of Wisconsin supplemental benefits during a period specified in the order, if such an election is permitted by federal law. Any such indicator is effective at the beginning of the week in which additional federally funded benefits are initially payable or the beginning of the 4th week after the week in which the governor issues the order, whichever is later.

SECTION 604m. 111.91 (2) (j) of the statutes is created to read:

111.91 (2) (j) Creditable service to which s. 40.25 (7) (f) applies.

SECTION 605m. 114.103 of the statutes is created to read:

114.103 Private security personnel; report to a law enforcement authority. (1) In this section:

(a) "Controlled substance" has the meaning given in s. 161.01 (4).

(b) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

(c) "Private security person" has the meaning given in s. 440.26 (1m), but does not include any law enforcement officer.

(2) (a) If any private security person acting in the course of his or her employment at an airport believes, on the basis of personal observation, that someone possesses a controlled substance, without a prescription or an authorization for that possession, or possesses \$10,000 or more in cash or that a shipment contains a controlled substance or \$10,000 or more in cash, the private security person shall report, as soon as practicable and by telephone or in person, to the county sheriff's office or the police department of the municipality in which the airport is located.

(b) A report under par. (a) shall contain all of the following information, unless the information is unobtainable by the person making the report:

1. The name, business address and business telephone number of the person submitting the report.

2. The name, address and telephone number of any person who is the subject of the report.

3. The date, time and location of the conduct or shipment that is the subject of the report.

4. A description of the conduct or shipment being reported, including personal observations and all other factors leading to the reporter's conclusion that the conduct or shipment has occurred.

(3) Any private security person who violates sub. (2) may be fined not more than \$500 or imprisoned for not more than 30 days or both.

SECTION 609m. 114.27 of the statutes is amended to read:

114.27 Penalty. Except as provided in ~~s. ss. 114.103 and 114.40~~, any person failing to comply with the requirements; or violating any of the provisions of this chapter shall be ~~guilty of a misdemeanor and punishable by a fine of~~ fined not more than \$500; or by ~~imprisonment~~ imprisoned for not more than 90 days; or both.

SECTION 610. 114.35 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

114.35 (2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects; for air marking and air navigation facilities; and for the purposes of 1991 Wisconsin Act ~~39~~... (this act), section 9155 ~~(7)~~ (1x).

SECTION 610g. 115.28 (10) (a) of the statutes is renumbered 115.28 (10).

SECTION 610h. 115.28 (10) (b) of the statutes is repealed.

SECTION 611g. 115.28 (12) of the statutes is repealed.

SECTION 611m. 115.28 (23) (intro.) of the statutes is amended to read:

115.28 (23) (title) **WISCONSIN EDUCATIONAL OPPORTUNITY PROGRAMS.** (intro.) Administer a Wisconsin educational opportunity ~~program~~ programs to assist minority and economically disadvantaged youth and adults in pursuing higher education opportunities. The ~~program~~ programs shall consist of all of the following ~~separate components~~:

SECTION 611r. 115.28 (32) of the statutes is created to read:

115.28 (32) **PUPIL TRANSCRIPT.** By July 1, 1993, develop a uniform pupil transcript that may be used by school districts beginning in the 1993-94 school year.

SECTION 612g. 115.28 (34) of the statutes is created to read:

115.28 (34) **EXCHANGE TEACHERS.** Coordinate and publicize the exchange of teachers under s. 119.18 (13) and the exchange of teachers and administrators under s. 120.13 (7).

SECTION 612r. 115.28 (35) of the statutes is created to read:

115.28 (35) **GRANTS FOR COLLABORATIVE PROJECTS.** From the appropriation under s. 20.255 (2) (ef), award

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a \$300,000 grant to a rural school district, a suburban school district and an urban school district, other than the school district operating under ch. 119, for projects, conducted in collaboration with the county social services department or the county human services department, that integrate social services and school responsibilities as they relate to pupils and their parents. One-third of the total grant amount shall be paid in each of 3 consecutive school years. The state superintendent shall give preference in awarding grants to projects that provide for the delivery of services in a single location.

SECTION 613g. 115.28 (36) of the statutes is created to read:

115.28 (36) **REPORT ON GOALS.** Report to the governor and to the appropriate standing committees of the legislature under s. 13.172 (3) the progress made by school districts toward attaining state educational goals and the state vision for education.

SECTION 614g. 115.361 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 115.3615 and amended to read:

115.3615 Head start supplement. From the appropriation under s. 20.255 (2) ~~(dm)~~ (eh), the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this ~~subsection~~ section to an agency that is receiving federal funds under 42 USC 9831 to 9852. Funds distributed under this ~~subsection~~ section may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this ~~subsection~~ section.

SECTION 614r. 115.361 (7) (a) 1 of the statutes is repealed.

SECTION 615g. 115.363 (1) (f) of the statutes is created to read:

115.363 (1) (f) Provide educational, health, mental health, nutritional and social services to low-income preschoolers and their families.

SECTION 615r. 115.363 (6) of the statutes is amended to read:

115.363 (6) Amounts awarded under this section shall be paid from the appropriation under s. 20.255 (2) (ez) and may be paid in instalments. The state superintendent shall allocate \$434,000 in the 1989-90 school year and \$434,000 in the 1990-91 school year for school districts with a membership of less than 12,000 in which more than 3.5% of the membership consists of limited-English speaking pupils from Indo-Chinese language groups. Beginning in the 1992-93

school year and annually thereafter, the state superintendent shall allocate \$1,000,000 for programs under sub. (1) (f). In this subsection, "membership" has the meaning given in s. 121.004 (5).

SECTION 616g. 115.364 of the statutes is created to read:

115.364 Grants for mathematics and science programs. The state superintendent shall award grants to school districts for programs that enhance the instruction of mathematics and science in the elementary grades. Grants shall be awarded from the appropriation under s. 20.255 (2) (em), ~~except that the state superintendent shall utilize national science foundation funding, if available, in lieu of funds in the appropriation under s. 20.255 (2) (em).~~ The state superintendent shall promulgate rules to implement and administer this section.

Vetoed
in Part

SECTION 616r. 115.366 of the statutes is created to read:

115.366 Grants for staff development. (1) (a) From the appropriation under s. 20.255 (2) (fh), the state superintendent shall allocate \$400,000 annually for one-year grants to school districts for staff development programs under this subsection.

(b) The state superintendent may not award a grant to a school district under this subsection unless, in the previous school year, the quotient of the school district's equalized valuation divided by its membership was less than 75% of the statewide average. In this paragraph, "equalized valuation" has the meaning given in s. 121.004 (2) and "membership" has the meaning given in s. 121.004 (5).

(2) From the appropriation under s. 20.255 (2) (fh), the state superintendent shall allocate \$400,000 annually for grants to school districts, cooperative educational service agencies and professional educational development consortia for staff development under this subsection.

(3) (a) The state superintendent may award grants under this section only to programs that have been developed with significant input from teachers.

(b) The recipient of a grant awarded under this section may not use the grant to supplant or replace funds otherwise available for the program.

(c) The amount of a grant under this section may not exceed 75% of the cost of the program.

SECTION 617g. 115.38 (title) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

115.38 (title) School performance report; educational program review.

SECTION 617r. 115.38 (1) (c) of the statutes is created to read:

115.38 (1) (c) Staffing and financial data information, as determined by the state superintendent, not to exceed 10 items. The state superintendent may not request a school board to provide information solely for the purpose of including the information in the report under this paragraph.

SECTION 618g. 115.38 (2) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

115.38 (2) ~~Annually by~~ By January 1, 1993, and annually thereafter by January 1, each school board shall distribute to the parent or guardian of each pupil enrolled in the school district, or give to each pupil to bring home to his or her parent or guardian, a school and school district performance report that includes the information specified by the state superintendent under sub. (1).

SECTION 618r. 115.38 (4) of the statutes is created to read:

115.38 (4) Beginning in the 1993-94 school year and annually thereafter, the state superintendent shall identify those school districts that are low in performance and those schools in which there are pupils enrolled who do not meet the state minimum performance standards on the examinations administered under s. 118.30. The state superintendent shall make recommendations regarding how the programs and operations of the identified school districts and schools may be improved and periodically assess school district implementation of the recommendations.

SECTION 619g. 115.40 of the statutes is created to read:

115.40 Grants for collaborative service programs.

(1) In this section "collaborative service program" means a program developed by a school board and one or more public agencies or private, nonprofit community-based organizations that is designed to improve the academic achievement of pupils participating in the program, to increase efficiency in the delivery of services by reducing duplication of services and to foster cooperation among one or more schools, service providers, families and pupils.

(2) (a) A school board, in conjunction with one or more public agencies or private, nonprofit, community-based organizations, may submit an application to the state superintendent for a 3-year grant to develop and implement a collaborative service program for preschool or elementary-grade pupils, or both, and their families.

(b) A public agency or a private, nonprofit, community-based organization, in conjunction with a school board, may submit an application to the state superintendent for a 3-year grant to develop and implement a collaborative service program for preschool or elementary-grade pupils, or both, and their families.

(3) The application shall include all of the following:

(a) Evidence of the need for a collaborative service program.

(b) A plan for improving the academic achievement of the pupils participating in the program through more effective coordination of support services, staff development and parental involvement.

(c) The anticipated improvement in academic achievement among the pupils participating in the program.

(d) A method of evaluating the improvement in academic achievement of the pupils participating in the program.

(e) A description of the capacity of the program to be replicated by other school districts and to provide continuity of service to the pupils as they enter the high school grades.

(f) Evidence that an implementation team consisting of the director of each participating agency and organization, or his or her designee, the principal from each participating school, or his or her designee, at least one staff member from each participating school whose responsibilities include working with community-based organizations, parent representatives, pupils and other residents of the school district participated in the development of the application.

(g) An estimate of the costs associated with planning the program and an estimate of the amount that will be spent on providing direct services under the program.

(h) Copies of the agreements between the participating agencies and organizations specifying the duties of each.

(4) (a) The state superintendent and the secretary of health and social services shall provide technical assistance to and consult with applicants regarding the preparation of their applications.

(b) The state superintendent and the secretary of health and social services shall review the applications and jointly determine the grant recipients and the amount of each grant. A grant may not be awarded to a school board, agency or organization unless the percentage of the participating school district's membership in the previous school year for whom aid to families with dependent children was being received under s. 49.19 was greater than 5%. In this paragraph, "membership" has the meaning given in s. 121.004 (5).

(c) The state superintendent and the secretary of health and social services shall give preference in awarding grants under this section to all of the following:

1. Programs that involve a school district that, in the previous school year, had a high proportion of pupils for whom aid to families with dependent children was being received under s. 49.19, a high proportion of pupils who were children at risk, as defined under s. 118.153 (1) (a), or a high proportion of drop-outs, as defined under s. 118.153 (1) (b).

2. Programs that involve more than 2 agencies or organizations.

3. Programs that provide cooperative case management services.

(d) Grants under this section shall be paid from the appropriation under s. 20.255 (2) (eg). A grant shall

constitute no more than 50% of the costs of the program and may not be used to supplant funds otherwise available for the program.

(5) (a) A recipient of a grant under this section shall use the funds to develop and implement a collaborative service program for pupils and their families. The program may not supplant existing educational and support services provided by school district staff and shall be integrated with existing school district educational and support services. The grant recipient may use no more than 30% of the funds for planning the program. The program shall be designed to provide pupils and their families with greater access to community-based support services, such as health and mental health services, counseling, alcohol and other drug abuse prevention and intervention programs, extracurricular enrichment programs, before-school and after-school day care, tutoring, recreation, parent education and involvement activities and job training and placement. The recipient may employ staff to perform such services or contract for such services.

(b) A collaborative service program may also be designed to do one or more of the following:

1. Improve communication and the sharing of information between the school district and other local agencies.
2. Design, implement and evaluate unified procedures to determine eligibility for various services.
3. Provide staff development.
4. Provide pupils and their families with a variety of services at one location.

(6) The state superintendent shall include in the department's biennial report under s. 15.04 (1) (d) information on the programs funded under this section.

Vetoed in Part SECTION 626d. 115.45 (3m) (a) 1m of the statutes is created to read:

115.45 (3m) (a) 1m. "Equalized valuation" has the meaning given in s. 121.004 (2).

SECTION 626h. 115.45 (3m) (a) 3 of the statutes is created to read:

115.45 (3m) (a) 3. "Membership" has the meaning given in s. 121.004 (5).

SECTION 626p. 115.45 (3m) (b) of the statutes is renumbered 115.45 (3m) (b) (intro.) and amended to read:

115.45 (3m) (b) (intro.) The state superintendent shall give priority in awarding grants under this section to all of the following programs:

1. Programs in existence on August 9, 1989, that have proven successful ~~and to programs.~~
2. Programs established in school districts with a high number of dropouts and low-income pupils.

Vetoed in Part SECTION 626t. 115.45 (3m) (b) 3 and 4 of the statutes are created to read:

Vetoed in Part 115.45 (3m) (b) 3. Programs established in school districts which, in the previous school year, had at least 2,000 low-income pupils enrolled and in which

the quotient of the school district's equalized valuation divided by its membership was no more than 110% of the statewide average. This subdivision applies beginning in the fiscal year in which the state superintendent determines that the amount appropriated under s. 20.255 (2) (do) is at least \$250,000 greater than the amount appropriated under s. 20.255 (2) (do) in the previous fiscal year, but not prior to the 1993-94 fiscal year.

4. Programs in existence on July 1, 1991. This subdivision applies beginning in the fiscal year in which the state superintendent determines that the amount appropriated under s. 20.255 (2) (do) is at least \$250,000 greater than the amount appropriated under s. 20.255 (2) (do) in the previous fiscal year, but not prior to the 1993-94 fiscal year.

SECTION 627m. 115.49 of the statutes is created to read:

115.49 College entrance examinations. (1) In this section, "institution of higher education" means a public or private nonprofit educational institution that provides an educational program for which it awards a bachelor's or higher degree, or provides a program that is acceptable for full credit toward such a degree.

(2) The state superintendent may promulgate rules requiring any person who administers in this state an examination designed to assist an institution of higher education in selecting students for admission to the institution of higher education to make the examination available upon request within 90 days after the administration of the examination.

(3) This section does not apply to an examination developed and administered by an individual institution of higher education solely for its own purposes.

SECTION 627r. 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 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~~ appropriations under s. 20.255 (2) (b) and (u). 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

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does not require any special or additional transportation.

SECTION 627y. 115.882 of the statutes is amended to read:

115.882 Proration of state aid. If the appropriation sum of the appropriations under s. 20.255 (2) (b) and (u) in any one year is insufficient to pay the full amount of aid under ss. 115.88 and 118.255, state aid payments shall be prorated among the counties, school districts and cooperative educational service agencies entitled thereto.

SECTION 628. 115.91 (intro.) and (1) of the statutes are consolidated, renumbered 115.91 and amended to read:

115.91 (title) Definition. In this subchapter: ~~(1) "School,~~ "school age parent" means any person under the age of 21 who is not a high school graduate and is a parent, an expectant parent or a person who has been pregnant within the immediately preceding 120 days.

SECTION 629. 115.91 (2) of the statutes is repealed.

SECTION 630. 115.93 (1m) of the statutes is repealed.

SECTION 631. 115.93 (2) of the statutes is amended to read:

115.93 (2) If the appropriation under s. 20.255 (2) (b) in any year is insufficient to pay the full amount of aid under ~~subs. sub. (1) and (1m)~~, state aid payments shall be prorated among the entitled school districts.

SECTION 631m. 117.132 (1m) (a) of the statutes is amended to read:

117.132 (1m) (a) "Annexed" means annexed or attached under s. 66.021, 66.022, 66.023, 66.024, 66.025 or 66.027.

SECTION 632m. 118.013 of the statutes is created to read:

118.013 Management restructuring programs. (1) (a) 1. The school board and the school administrators shall each appoint representatives, and the teachers of each school and the parents of pupils enrolled in each school shall each elect representatives, to participate in the development of a management restructuring program designed to decentralize school board powers and duties and to foster shared decision making.

2. If the school includes high school grades, a pupil enrolled in those grades, selected as determined by the school board, shall participate in the development of the program under subd. 1 as a nonvoting member.

(b) During the 1992-93 school year, the state superintendent shall hold a training session on management restructuring programs in the territory of each cooperative educational service agency. The representatives chosen under par. (a) shall participate in the training sessions.

(2) During the 1993-94 school year, if the representatives chosen under sub. (1) (a) agree, they shall meet to develop a management restructuring program that

addresses all of the school's educational practices except those that are mandatory subjects of collective bargaining under subch. IV of ch. 111. The representatives may agree to allow members of other groups to participate in the meetings. The meetings shall be by school, except that if a principal supervises more than one school, the meetings shall be by the group of schools that he or she supervises.

(3) (a) A school board on its own initiative or upon receipt of an application from the principal of a school located in the school district may apply to the state superintendent for a grant to assist in developing or implementing a management restructuring program. The state superintendent shall appoint a 12-member council under s. 15.04 (1) (c) to review the applications and make recommendations to the state superintendent. The council shall consist of the governor or his or her designee and at least one member representing school boards, one member representing school administrators, one member representing parents of pupils enrolled in the school district and one member representing teachers. The state superintendent may also appoint members representing other groups. Grants shall be awarded from the appropriation under s. 20.255 (2) (ds). To the extent possible, the state superintendent shall ensure that grants are equally distributed on a statewide basis.

(b) If a management restructuring program is implemented following the receipt of a grant under par. (a), the program shall specify that the school board determines the school district and each school's budget but shall also provide that any management council established for a school under the program may make recommendations to the school board regarding how the school's budget is allocated.

(c) No grants may be awarded under this subsection after June 30, 1994.

SECTION 633m. 118.30 of the statutes is repealed and recreated to read:

118.30 Pupil assessment. (1) (a) The state superintendent shall adopt or approve examinations that are designed to measure pupil attainment of knowledge in the 8th and 10th grades and make them available to school districts at no charge beginning in the 1992-93 school year. Except as otherwise provided in this section, beginning in the 1993-94 school year, the school board shall administer the examinations annually to all pupils enrolled in the school district in the 8th and 10th grades.

~~(b) Upon the request by a pupil's parent or guardian, the school board shall excuse the pupil from taking an examination administered under this section.~~

~~(c) A school board may apply to the state superintendent for a waiver from the requirement under par. (a). The state superintendent shall promulgate rules establishing criteria for granting such waivers. If the state superintendent grants a waiver, he or she may nevertheless require the school board to administer~~

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~~the examinations to a representative sample of 8th and 10th grade pupils.~~

(d) Examinations under this section may not be administered after June 30, 1998.

(2) (a) To the extent possible, all examinations under this section shall be free of bias.

(b) 1. The school board may determine not to administer an examination under this section to a pupil enrolled in a special education program under subch. V of ch. 115. The school board may modify the format and administration of an examination for a pupil enrolled in such a program.

2. According to criteria established by the state superintendent by rule, the school board may determine not to administer an examination under this section to a limited-English speaking pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or her native language or may modify the format and administration of an examination for such pupils.

(c) The results of examinations under this section may not be used to evaluate teacher performance, to discharge, suspend or formally discipline a teacher or as the reason for the nonrenewal of a teacher's contract.

(d) The results of examinations under this section may not be used in determining general or categorical aids to school districts.

(3) The state superintendent shall make available upon request, within 90 days after the date of administration, any examination required to be administered under this section. This subsection does not apply while the examination is being developed or validated.

SECTION 634m. 118.33 (1) (c) of the statutes is created to read:

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~~118.33 (1) (c) A school board may require a pupil as a course or as part of a course, to participate in community service activities in order to receive a high school diploma.~~

SECTION 635m. 118.37 (3) (b) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (3) (b) If the pupil specifies in the notice under par. (a) that he or she intends to take a course at an institution of higher education for high school credit, the school board shall determine whether the course is comparable to a course offered in the school district, and whether the course satisfies any of the high school graduation requirements under s. 118.33 and the number of high school credits to award the pupil for the course, if any. The state superintendent shall develop guidelines to assist school districts in making the determinations. The school board shall notify the pupil of its determinations, in writing, before the end of the semester in which it received the notice under par. (a). If the pupil disagrees with the school board's decision regarding comparability of courses, satisfaction of high school graduation requirements or the number of high school credits to be awarded, the pupil may appeal the school board's

decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227.

SECTION 635p. 118.37 (3m) of the statutes is created to read:

118.37 (3m) SCHOOL DISTRICT DUTY TO OFFER COMPARABLE COURSE. (a) Except as provided under par. (b), if in the current school year the number of pupils attending an institution of higher education under this section and enrolled in a course that is not comparable to a course offered in the school district is equal to or greater than the number of pupils normally required for the school board to offer a course, as determined by the school board, and the school board expects the situation to continue in the next school year, the school board shall offer the course in the next school year.

(b) The state superintendent may waive the requirement under par. (a) if he or she determines that the requirement would impose too great a cost because of the lack of equipment or space.

SECTION 636m. 118.37 (5) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (5) PAYMENT. (intro.) Within 30 days after the end of the semester, the school board of the school district in which a pupil attending an institution of higher education under this section is enrolled shall pay the institution of higher education, on behalf of the pupil, the following amount for any course that is taken for high school credit and that is not comparable to a course offered in the school district:

SECTION 637m. 118.37 (6) (a) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (6) (a) A pupil taking a course at an institution of higher education for high school credit under this section is not responsible for any portion of the tuition and fees for the course if the school board, or the state superintendent on appeal under sub. (3) (b), has determined that the course is not comparable to a course offered in the school district.

SECTION 638m. 118.37 (6) (b) of the statutes is created to read:

118.37 (6) (b) A pupil taking a course at an institution of higher education for high school credit under this section is responsible for the tuition and fees for the course if the school board has determined that the course is comparable to a course offered in the school district, unless the state superintendent reverses the school board's decision on appeal under sub. (3) (b).

SECTION 639m. 118.37 (7g) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

118.37 (7g) TRANSPORTATION. The parent or guardian of a pupil who is attending an institution of higher education under this section and is taking a course for high school credit that is not comparable to a course offered in the school district may apply to the state superintendent for reimbursement of the cost of

transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cw). The state superintendent shall give preference under this subsection to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

SECTION 640m. 119.04 (1) of the statutes, as affected by 1991 Wisconsin Acts 39 and 42, 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)~~, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.364, 115.366, 115.38 (2), 115.40, 115.45, 118.01 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (2) (c) to (f), 118.255, 118.258, 118.30 to 118.35, 118.37, 120.12 (5); ~~and (15), (16), (17), (18), (19), (20) and (21) to (23), 120.125 and 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26) and (34)~~ are applicable to a 1st class city school district and board.

SECTION 641m. 119.10 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

119.10 (1) The board is a continuing body. Any unfinished business before the board or any of its standing or special committees on the ~~4th Monday in April~~ date of the annual meeting under sub. (2) shall be considered as pending before the board newly organized on such date. At its annual ~~April~~ meeting, after the election of the new board president and the designation of the clerk, the clerk shall report to the board items of business pending before the board as a whole. After the annual April meeting, unless otherwise directed by the board, the clerk shall report items of business which had been pending before committees of the board to the corresponding committees of the board appointed by the new president. Matters thus reported may be acted upon by the board in the same manner and with the same effect as if the board had not been newly organized.

SECTION 642m. 119.10 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

119.10 (2) Annually ~~on, no earlier than~~ the 4th Monday in April, ~~or on the next day if the 4th Monday is a legal holiday and no later than the first Monday in May~~, the board shall hold its organizational meeting, shall elect a president from among its members to serve for one year and until a successor is chosen and shall designate an individual to serve as clerk. In the absence or during the disability of the board president, the board shall elect an acting president.

The board president shall appoint standing committees to serve for one year.

SECTION 647. 119.72 (2) (c) of the statutes is amended to read:

119.72 (2) (c) Children with a parent who is a school age parent, as defined under s. 115.91 (4).

SECTION 647m. 119.84 of the statutes is created to read:

119.84 Professional development. Annually, the state superintendent shall pay the amount appropriated in that fiscal year under s. 20.255 (2) (dc) to the board. The board shall use 67% of the funds to provide a mentor teacher program for inexperienced teachers and a peer coaching program for experienced teachers. The board shall use the balance of the funds for school administrator assessment and development.

SECTION 649m. 120.12 (22) of the statutes is created to read:

120.12 (22) **ADVANCED PLACEMENT EXAMINATIONS.** Pay the costs of advanced placement examinations taken by pupils enrolled in the school district who are eligible for free or reduced-price lunches in the federal school lunch program under 42 USC 1758.

SECTION 650m. 120.12 (23) of the statutes is created to read:

120.12 (23) **PUPIL PARTICIPATION IN SCHOOL ACTIVITIES.** Annually, adopt a policy on access to extracurricular and recreational school programs and activities that encourages full participation by all elementary grade pupils in these programs and activities. This subsection does not apply to the school board of a union high school district.

SECTION 650q. 120.13 (1) (b) of the statutes is amended to read:

120.13 (1) (b) The school district administrator or any principal or teacher designated by the school district administrator also may make rules, with the consent of the school board, and may suspend a pupil for not more than 3 school days or, if a notice of expulsion hearing has been sent under par. (c) or (e) or s. 119.25, for not more than a total of ~~40~~ 15 consecutive school days for noncompliance with such rules or school board rules, or for knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives, or for conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others, or for conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority. Prior to any suspension, the pupil shall be advised of the reason for the proposed suspension. The pupil may be suspended if it is determined that the pupil is guilty of noncompliance with such rule, or of the conduct charged, and that the

pupil's suspension is reasonably justified. The parent or guardian of a suspended minor pupil shall be given prompt notice of the suspension and the reason for the suspension. The suspended pupil or the pupil's parent or guardian may, within 5 school days following the commencement of the suspension, have a conference with the school district administrator or his or her designee who shall be someone other than a principal, administrator or teacher in the suspended pupil's school. If the school district administrator or his or her designee finds that the pupil was suspended unfairly or unjustly, or that the suspension was inappropriate, given the nature of the alleged offense, or that the pupil suffered undue consequences or penalties as a result of the suspension, reference to the suspension on the pupil's school record shall be expunged. Such finding shall be made within 15 days of the conference. A pupil suspended under this paragraph shall not be denied the opportunity to take any quarterly, semester or grading period examinations missed during the suspension period.

SECTION 651c. 120.13 (2) (g) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (5), 632.895 (9) and 632.896.

SECTION 651d. 120.13 (2) (g) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.87 (4) and (5), 632.895 (9) and 632.896.

Vetoed in Part SECTION 654m. 121.004 (7) (e) of the statutes is created to read:

121.004 (7) (e) A 5-year-old enrolled in a day care center under s. 119.72 shall be counted as provided under par. (c). A 4-year-old enrolled in a day care center under s. 119.72 shall be counted as one-half pupil.

SECTION 655g. 121.02 (1) (o) of the statutes is repealed and recreated to read:

121.02 (1) (o) Annually distribute the performance disclosure report under s. 115.38 (2). The school board may include additional information in the report.

SECTION 655r. 121.02 (1) (s) of the statutes is repealed and recreated to read:

121.02 (1) (s) Beginning in the 1993-94 school year, administer the examinations required by the state superintendent under s. 118.30. A school board may administer additional examinations only if they are aligned with the school district's curriculum.

SECTION 656m. 121.02 (2) of the statutes is amended to read:

121.02 (2) In order to ensure compliance with the standards under sub. (1), the state superintendent shall annually conduct a general on-site audit of at least 20% ~~10%~~ of all school districts, selected by means of a stratified, random sample. The state

superintendent shall audit each school district at least once every 5 ~~10~~ years but may not audit a school district more than once every 3 ~~6~~ years. The state superintendent shall ensure that the audit process involves school board members, school district administrators, teachers, pupils, parents of pupils and other residents of the school district. Nothing in this subsection prohibits the state superintendent from conducting an inquiry into compliance with the standards upon receipt of a complaint.

~~SECTION 657g. 121.05 (1) (a) 9 of the statutes is created to read:~~

~~121.05 (1) (a) 9. Children enrolled in a day care center under s. 119.72.~~

SECTION 657m. 121.07 (1) (a) of the statutes is amended to read:

121.07 (1) (a) The membership ~~and teacher-pupil ratio~~ of the school district in the previous school year ~~as reported under s. 121.05~~ and the shared cost for the previous school year shall be used in computing general aid. In computing general aid, the teacher-pupil ratio shall not exceed 25. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c) 2, the school district's debt service costs shall be based upon current school year costs for the term of the loan and for one additional school year.

SECTION 658g. 121.07 (6) (e) of the statutes is amended to read:

121.07 (6) (e) For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 2 ~~4~~ school years, the amounts under par. (b) shall be multiplied by ~~1.05~~ 1.1 and rounded to the next lowest dollar.

~~SECTION 658m. 121.07 (7) (a) of the statutes is amended 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. 121.09 and 121.85 (6) (b) 2 and 3 and (c), and the amount determined under s. 121.082 (1) (a), fully distributes the sum of the amount remaining in the appropriation under s. 20.255 (2) (as) for payments under ss. 121.08, 121.85 (6) (a) and (g) and 121.86 (3m) (a) 1 and (b) 1.~~

SECTION 659g. 121.07 (7) (e) of the statutes is amended to read:

121.07 (7) (e) For a school district created by a consolidation under s. 117.08 or 117.09, in the school year in which the consolidation takes effect and in each of the subsequent 2 ~~4~~ school years, the amounts under pars. (a) and (b) shall be multiplied by ~~1.05~~ 1.1 and rounded to the next lowest dollar.

~~SECTION 659m. 121.082 of the statutes is created to read:~~

~~121.082. Financial hardship assistance; general aid adjustment. (1) For each school district that has been awarded a grant under s. 24.85 (2), the state superintendent shall not distribute from the appropriation~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part under s. 20.255 (2) (ac) the sum of the amounts determined as follows:

(a) An amount equal to the annual amount determined under s. 24.85 (4) (a) multiplied by the proportion of the school district's shared cost that is supported by state aid under s. 121.08 in that school year.

(b) An amount equal to the annual amount determined under s. 24.85 (4) (a) multiplied by the proportion of the school district's shared cost that is not supported by state aid under s. 121.08 in that school year.

(2) The state superintendent shall ensure that the amount determined under sub. (1) (b) is deducted only from the state aid payment under s. 121.08 of the school district awarded the grant under s. 24.85 (2).

(3) The general aid adjustment under this section constitutes a liability under s. 66.03 (2c) of the school district awarded a grant under s. 24.85 (2).

SECTION 660m. 121.105 (3) of the statutes is amended to read:

121.105 (3) In the school year in which a school district consolidation takes effect under s. 117.08 or 117.09 and in each of the subsequent 2 4 school years, the consolidated school district's state aid shall be an amount that is not less than the aggregate state aid received by the consolidating school districts in the school year prior to the school year in which the consolidation takes effect. The additional state aid shall be paid from the appropriation under s. 20.255 (2) (ba).

SECTION 662. 121.41 (1) of the statutes is amended to read:

121.41 (1) STATE AID. To promote a uniformly effective driver education program among high school and vocational, technical and adult education school pupils, each school district operating high school grades, each county handicapped children's education board which provides the substantial equivalent of a high school education and each vocational, technical and adult education district shall receive \$50 \$100 for each pupil of high school age who completes a course in driver education approved by the department, but in no case may the state aid exceed the actual cost of instruction. If the appropriation under s. 20.255 (2) (r) is inadequate in any year to provide \$50 \$100 per pupil, the state aid shall be prorated after the appropriation for administration is deducted. Such state aid shall be paid at the same time as the state aid under s. 121.08 is paid.

SECTION 665c. 125.06 (10) of the statutes is amended to read:

125.06 (10) RAFFLES. The awarding of alcohol beverages in original, unopened packages, containers or bottles as a prize, in a raffle conducted by an organization licensed to conduct the raffle under ch. 463 563, to any person who has attained the legal drinking age.

SECTION 665e. 125.07 (3) (a) 12 of the statutes is created to read:

125.07 (3) (a) 12. An underage person who enters and remains on premises for which a temporary Class "B" license is issued under s. 125.26 (6) if the licensee is authorized by the official or body of the municipality that issued the license to permit underage persons to be on the premises under s. 125.26 (6) and if the licensee permits underage persons to be on the premises.

SECTION 665g. 125.17 (5) (a) of the statutes is amended to read:

125.17 (5) (a) A municipal governing body ~~may by ordinance authorize the issuance of that issues operators' licenses shall issue~~ provisional operators' licenses. The municipal governing body may by ordinance shall establish standards under which provisional licenses shall be issued and shall by ordinance designate the municipal official having authority to issue them.

SECTION 665h. 125.17 (6) (b) of the statutes, as created by 1989 Wisconsin Act 253, is amended to read:

125.17 (6) (b) A municipal governing body ~~may~~ shall issue a provisional operator's license to a person who is enrolled in a training course under par. (a) and who meets the standards established by the municipality by ordinance, if any. The municipal governing body shall revoke that license if the applicant fails successfully to complete the course in which he or she enrolls.

SECTION 665i. 125.26 (6) of the statutes is amended to read:

125.26 (6) Temporary Class "B" licenses may be issued to bona fide clubs, to county or local fair associations or agricultural societies, to churches, lodges or societies that have been in existence for at least 6 months before the date of application and to posts of veterans' organizations authorizing the sale of fermented malt beverages at a particular picnic or similar gathering, at a meeting of the post, or during a fair conducted by the fair association or agricultural society. The amount of the fee for the license shall be determined by the municipal governing body issuing the license but may not exceed \$10. An official or body authorized by a municipal governing body to issue temporary Class "B" licenses may, upon issuance of any temporary Class "B" license, authorize the licensee to permit underage persons to be on the premises for which the license is issued. A license issued to a county or district fair licenses the entire fairgrounds where the fair is being conducted and all persons engaging in retail sales of fermented malt beverages from leased stands on the fairgrounds. The county or district fair to which the license is issued may lease stands on the fairgrounds to persons who may engage in retail sales of fermented malt beverages from the stands while the fair is being held.

~~SECTION 665j. 127.01 (10) of the statutes is amended to read:~~

Vetoed in Part

Vetoed
in Part

~~127.01 (10) "Department" means the department of agriculture, and trade and consumer protection.~~

SECTION 665m. 127.06 (3) of the statutes is amended to read:

Vetoed
in Part

127.06 (3) (title) ACCESS TO STATEMENT. A financial statement is not a public record subject to s. 19.35 (N) (a) and the department may keep a financial statement closed to the public notwithstanding s. 19.35, although the department may utilize and release a financial statement in an enforcement action, administrative hearing or court proceeding.

SECTION 666. 127.07 (6) (c) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

127.07 (6) (c) Amount of bond; grain dealers. The amount of a grain dealer's bond filed with the department under this section shall be in a principal amount, to the next highest \$1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The bond may not be less than \$25,000 and is not required to be more than \$100,000 \$500,000.

SECTION 667. 127.07 (7) (c) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

127.07 (7) (c) Amount of security; grain dealers. The amount of a grain dealer's security filed with the department under this section shall be in a principal amount, to the next highest \$1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The security may not be less than \$25,000 and is not required to be more than \$100,000 \$500,000.

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~~SECTION 667b. Chapter 130 (title) of the statutes is created to read:~~

~~CHAPTER 130~~

~~CONSUMER PROTECTION~~

~~SECTION 667c. 130.01 of the statutes is created to read:~~

~~130.01 Definitions. In this chapter:~~

~~(1) "Business" includes any business, except that of banks, savings and loan associations, insurance companies and public utilities other than public utilities or portions of public utility businesses whose associated trade and advertising practices are exempt from regulation by the public service commission under s.~~

~~196.195, 196.202 or 196.203 or by other action of the commission.~~

~~(2) "Department" means the department of justice.~~

~~(3) "Documents" includes books, papers, accounts, records and correspondence.~~

~~(4) "Products" includes all articles and commodities in general use.~~

~~SECTION 667g. 130.02 of the statutes is created to read:~~

~~130.02 Power to conduct hearings; secure evidence; witness fees. (1) The department or any of its authorized agents may, in relation to any matter under this chapter, conduct hearings, administer oaths, issue subpoenas and take testimony.~~

~~(2) Witnesses and the officers who subpoena them shall be entitled to the fees allowed in courts of record. Such fees shall be audited and paid by the state in the same manner as other expenses of the department are audited and paid. No witness subpoenaed at the instance of any party other than the department shall be entitled to payment of fees by the state, unless the department certifies that the testimony of such witness was material.~~

~~(3) Any person who shall unlawfully fail to attend as a witness or refuse to testify may be coerced as provided in s. 885.12.~~

~~(4) A record of all hearings shall be kept in the office of the department. All hearings shall be public.~~

~~SECTION 667j. 130.03 of the statutes is created to read:~~

~~130.03 Reports to department; inspections. (1) The department may, by rule or order, require persons engaged in business to file with the department, at such time and in such manner as the department may direct, sworn or unsworn reports or sworn or unsworn answers in writing to specific questions, as to any matter under this chapter that the department may investigate.~~

~~(2) The department or any of its authorized agents may have access to and may copy any document, or any part thereof, which is in the possession or under the control of any person engaged in business, if such document, or such part thereof, is relevant to any matter under this chapter that the department may investigate.~~

~~(3) No person shall refuse or fail to render any report or answer required under this section at such time and in such manner as the department may prescribe. No person shall refuse, neglect or fail to submit, for the purpose of inspection or copying, any document demanded under this section. No person shall wilfully make any false entry or statement in any report or answer required or document demanded under this section. No person shall wilfully fail to make full and true entries and statements in any report or answer required or document demanded under this section. No person shall, for the purpose of embarrassing the department in the conduct of any investigation, hearing or proceeding, remove out of~~

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the state or mutilate or alter any document. No person shall, except through judicial process, resist or obstruct any official or subordinate of the department in the exercise of his or her lawful authority.

SECTION 667L. 130.04 of the statutes is created to read:

130.04 Preliminary investigation. (1) The department may, at any time, conduct a preliminary investigation to determine whether to begin a hearing or proceeding under this chapter.

(2) The authority contained in ss. 130.02 and 130.03 may be used in the conduct of a preliminary investigation.

SECTION 667n. 130.05 of the statutes is created to read:

130.05 Immunity; perjury. (1) No person may be excused from testifying or rendering a report or answer or producing or submitting a document, in response to a demand made under s. 130.02 or 130.03, upon the ground or for the reason that the testimony or report or answer or document required of him or her may tend to incriminate him or her or subject him or her to a penalty or forfeiture. No natural person may be prosecuted or subjected to any penalty or forfeiture for or on account of testifying or rendering a report or answer or producing or submitting a document, in response to a demand made under s. 130.02 or 130.03, and no testimony so given or report or answer so rendered or document so produced or submitted may be received against him or her in any criminal action, investigation or proceeding, except that no natural person so testifying may be exempt from prosecution and punishment for perjury committed by him or her in so testifying or for misrepresentation or concealment committed by him or her in so rendering a report or answer or so producing or submitting a document.

(2) The immunity provided under sub. (1) is subject to the restrictions under s. 972.085.

SECTION 667p. 130.06 of the statutes is created to read:

130.06 Hearings; rules; service; procedure; revocation. (1) Rules shall be promulgated as prescribed in ch. 227.

(2) The department, in any matter relating to issuing, revoking or amending an order relating to named persons, except as provided in sub. (3), shall serve upon the person complained against a complaint in the name of the department and a notice of a public hearing thereon to be held not sooner than 10 days after such service. The person complained against shall be entitled to be heard in person, or by agent or attorney, and shall be entitled to process to compel the attendance of witnesses.

(3) The department, after acting pursuant to s. 130.28, 130.30, 130.31 or 130.32 to order the sale or distribution of any substance, article, furnishing, fabric, product or related material ceased, shall give written notice of its finding to the manufacturer, seller

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or other person responsible for placing the item in the channels of trade in this state. After such notice no person may sell, remove or otherwise dispose of such item except as directed by the department. Any person affected by such notice may demand a prompt hearing to determine the validity of the department's findings. The hearing, if requested, shall be held as expeditiously as possible but not later than 30 days after notice. A request for hearing does not operate to stay enforcement of the order during the pendency of the hearing. The person petitioning for a hearing shall be entitled to the same rights specified under sub. (2).

(4) The department shall serve a copy of any order upon the person against whom the order is issued.

(5) Complaint, notice, order or other process of the department may be served as may be a summons, and a subpoena as provided by s. 885.03, and either may be served by registered mail to an address furnished by the person or concern to either the department or the secretary of state. Service may be proved by affidavit. Service in any event may be also by registered mail addressed to the person or concern and proved by the post-office return receipt, in which case the time of service is the date borne by the receipt.

(6) The testimony presented and the proceedings at hearings shall be taken by a stenographic reporter or otherwise recorded and when necessary shall be transcribed. The attorney general or his or her designated representative shall make his or her findings and determination thereon. The department shall make rules of procedure and practice not inconsistent with any law governing such procedure or practice.

SECTION 667r. 130.09 of the statutes is created to read:

130.09 Methods of competition and trade practices.

(1) In this section, "business" does not include agricultural business, as defined in s. 100.20 (1).

(2) Methods of competition in business and trade practices in business shall be fair. No person may use a method of competition in business or an unfair trade practice in business that is unfair.

(3) It is an unfair trade method of competition in business to represent the retailing of merchandise to be a selling-out or closing-out sale if the merchandise is not of a bankrupt, insolvent, assignee, liquidator, adjuster, administrator, trustee, executor, receiver, wholesaler, jobber, manufacturer, or of any business that is in liquidation, that is closing out, closing or disposing of its stock, that has lost its lease or has been or is being forced out of business or that is disposing of stock on hand because of damage by fire, water or smoke. This subsection does not apply to any "closing-out sale" of seasonable merchandise or any merchandise having a designated model year if the person conducting the sale is continuing in business.

(4) The department, after public hearing, may promulgate rules forbidding methods of competition in business or trade practices in business that are determined by the department to be unfair. The depart-

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ment, after public hearing, may promulgate rules prescribing methods of competition in business or trade practices in business that are determined by the department to be fair.

(5) The department, after public hearing, may issue an order against any person, enjoining such person from employing any method of competition in business or trade practice in business that is determined by the department to be unfair. The department, after public hearing, may issue an order against any person, requiring such person to employ the method of competition in business or trade practice in business that is determined by the department to be fair.

(6) Any person suffering pecuniary loss because of a violation by any other person of any rule promulgated or order issued under this section may sue for damages therefor in any court of competent jurisdiction and shall recover twice the amount of such pecuniary loss, together with costs, including reasonable attorney fees.

(7) The department may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction the violation of any rule promulgated or order issued under this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department may use its authority in ss. 130.02 and 130.03 to investigate violations of any order issued under this section.

SECTION 667L. 130.34 of the statutes is created to read:

130.34 Penalties. (1) Any person who violates any provision of this chapter, except s. 130.07 or 130.09, for which no specific penalty is prescribed shall be fined not more than \$200 or imprisoned in the county jail for not more than 6 months or both.

(2) Any person who violates s. 130.15, or who intentionally refuses, neglects or fails to obey any rule promulgated or order issued under s. 130.09, shall, for each offense, be fined not less than \$25 nor more than \$5,000 or imprisoned in the county jail for not more than one year or both.

(3) Any person who violates s. 130.07 (1) to (8) or (10) or 130.08 is subject to a forfeiture of not less than \$50 nor more than \$200 for each violation.

(4) Any person violating s. 130.07 (9) shall be fined not less than \$100 nor more than \$1,000 or imprisoned for not more than one year or both. Each day of violation constitutes a separate offense.

(5) The department or any district attorney may commence an action in the name of the state to recover a civil forfeiture to the state of not less than \$100 nor more than \$10,000 for each violation of an injunction issued under s. 130.07, 130.08 or 130.09 (7)

or a rule promulgated or an order issued under s. 130.09.

(6) Any person violating s. 130.08 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than one year or both for each offense. Each unlawful advertisement published, printed or mailed on separate days or in separate publications, handbills or direct mailings is a separate violation of s. 130.08.

SECTION 667V. 130.35 of the statutes is created to read:

130.35 Revocation of corporate authority. Any corporation, foreign or domestic, that violates any rule promulgated or order issued under s. 130.09 may be enjoined from doing business in this state and its certificate of authority or incorporation may be canceled or revoked. The attorney general may bring an action for this purpose in the name of the state. In any such action judgment for injunction, cancellation or revocation may be rendered by the court, upon such terms as it deems just and in the public interest, but only upon proof of a substantial and willful violation.

SECTION 668. 132.13 (1) of the statutes is renumbered 132.13 (1) (a).

SECTION 669. 132.13 (1) (b) of the statutes is created to read:

132.13 (1) (b) Paragraph (a) does not apply to goods, wares and merchandise made under a contract under s. 303.06 (2).

SECTION 669b. 134.70 (title) and (1) to (12) of the statutes are renumbered 130.18 (title) and (1) to (12).

SECTION 669c. 134.70 (13) of the statutes is renumbered 130.18 (13), and 130.18 (13) (b) 1. (intro.) and 2, as renumbered, are amended to read:

130.18 (13) (b) 1. (intro.) A fitness center may establish proof of financial responsibility required under par. (a) by maintaining any of the following commitments approved by the department of justice in an amount not less than \$25,000, subject to subd. 2.

2. The commitment described in subd. 1 shall be established in favor of or made payable to the state, for the benefit of any buyer who does not receive a refund under sub. (11) (a). The fitness center shall file with the department of justice any agreement, instrument or other document necessary to enforce the commitment against the fitness center or any relevant 3rd party, or both.

SECTION 669d. 134.70 (14) of the statutes is renumbered 130.18 (14).

SECTION 669e. 134.70 (15) (a) of the statutes is renumbered 130.18 (15) (a) and 130.18 (15) (a) (intro.), as renumbered, is amended to read:

130.18 (15) (a) (intro.) The department of agriculture, trade and consumer protection and the department of justice shall cooperatively investigate violations of this section or s. 134.705 (2) or (4). The department of justice may on behalf of the state:

SECTION 669f. 134.70 (15) (am) of the statutes is renumbered 130.18 (15) (am) and amended to read:

Vetoed
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in Part

~~130.18 (15) (am). The department of justice may bring an action in circuit court to recover on a financial commitment maintained under sub. (13) against a fitness center or relevant third party, or both, on behalf of any buyer who does not receive a refund due under sub. (11) (a).~~

~~SECTION 669g. 134.70 (15) (b) of the statutes is renumbered 130.18 (15) (b) and amended to read:~~

~~130.18 (15) (b) In addition to the remedies otherwise provided by law, any person injured by a violation of this section may bring a civil action for damages under s. 100.20 (5) 130.09 (6). Any person injured by a breach of a contract for fitness center services may bring a civil action to recover damages together with costs and disbursements, including reasonable attorney fees, and such other equitable relief as may be determined by the court.~~

~~SECTION 669h. 134.705 (1) (c) of the statutes is amended to read:~~

~~134.705 (1) (c) "Fitness center" has the meaning given under s. 134.70 130.18 (1) (c).~~

~~SECTION 669j. 134.705 (4) of the statutes is amended to read:~~

~~134.705 (4) A fitness center shall post a notice or notices on its premises stating the requirements of sub. (2) and the penalty for a violation of sub. (2) under s. 134.70 130.18 (15) (a). The notice shall comply with the rules promulgated by the department under sub. (5) (d).~~

~~SECTION 669k. 134.705 (7) of the statutes is amended to read:~~

~~134.705 (7) A violation of sub. (2) or (4) is subject to s. 134.70 130.18 (15) (a). This subsection of s. 134.70 130.18 (15) (a) does not preclude a person injured as a result of a violation of this section from pursuing any other available equitable or legal relief.~~

~~SECTION 669kb. 134.71 (2) of the statutes is amended to read:~~

~~134.71 (2) LICENSE FOR PAWNBROKER. No person may operate as a pawnbroker unless the person first obtains a pawnbroker's license under this section. A license issued to a pawnbroker by the governing body of a municipality authorizes the licensee to operate as a pawnbroker in that municipality. A license issued to a pawnbroker by the governing body of a county authorizes the licensee to operate as a pawnbroker in the town for which the county's governing body issued the license.~~

~~SECTION 669kc. 134.71 (3) (a) of the statutes is amended to read:~~

~~134.71 (3) (a) Except as provided in par. (b), no person may operate as a secondhand article dealer unless the person first obtains a secondhand article dealer's license under this section. A license issued to a secondhand article dealer authorizes the licensee to operate as a secondhand article dealer anywhere in the state.~~

SECTION 669kd. 134.71 (4) of the statutes is amended to read:

134.71 (4) LICENSE FOR SECONDHAND JEWELRY DEALER. No person may operate as a secondhand jewelry dealer unless the person first obtains a secondhand jewelry dealer's license under this section. A license issued to a secondhand jewelry dealer authorizes the licensee to operate as a secondhand jewelry dealer anywhere in the state.

SECTION 669ke. 134.71 (5) (intro.) of the statutes is repealed and recreated to read:

134.71 (5) LICENSE APPLICATION. (intro.) A person wishing to operate as a secondhand article dealer or a secondhand jewelry dealer and have a principal place of business in a municipality shall apply for a license to the clerk of that municipality. A person wishing to operate as a secondhand article dealer or a secondhand jewelry dealer and have a principal place of business in a town shall apply for a license to the clerk of the county in which that town is located. A person wishing to operate as a pawnbroker in a municipality shall apply for a license to the clerk of the municipality. A person wishing to operate as a pawnbroker in a town shall apply for a license to the clerk of the county in which the town is located. The clerk shall furnish application forms under sub. (12) that shall require all of the following:

~~SECTION 669kg. 134.71 (8) (e) of the statutes is amended to read:~~

~~134.71 (8) (e) Report to law enforcement agency. Within 24 hours after purchasing or receiving a secondhand article or secondhand jewelry, a pawnbroker, secondhand article dealer or secondhand jewelry dealer shall make available, for inspection by a law enforcement officer, the original form completed under par. (c) 1 or the inventory under par. (c) 2, whichever is appropriate. Notwithstanding s. 19.35 (1) (a), an original completed form is not subject to s. 19.35 (1) (a), and a law enforcement agency receiving the original form or inventory or a declaration of ownership may disclose it only to another law enforcement agency.~~

SECTION 669kh. 134.71 (9) (a) 3 of the statutes is repealed.

SECTION 669kj. 134.71 (9) (a) 4 of the statutes is created to read:

134.71 (9) (a) 4. Each secondhand article dealer delivers to the secondhand article dealer mall or flea market license holder, at the close of business on each day that the secondhand article dealer conducts business, a record of his or her sales that includes the location at which each sale was made.

SECTION 669kr. 134.74 of the statutes is created to read:

134.74 Prize notices. (1) DEFINITIONS. In this section:

(a) "Prize" means a gift, award or other item or service of value.

Vetoed
in Part

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(b) 1. "Prize notice" means a notice given to an individual in this state that satisfies all of the following:

a. Is or contains a representation that the individual has been selected or may be eligible to receive a prize.

b. Conditions receipt of a prize on a payment from the individual or requires or invites the individual to make a contact to learn how to receive the prize or to obtain other information related to the notice.

2. "Prize notice" does not include any of the following:

a. A notice given at the request of the individual.

b. A notice informing the individual that he or she has been awarded a prize as a result of his or her actual prior entry in a game, drawing, sweepstakes or other contest, if the individual is awarded the prize stated in the notice.

c. A notice given in the form of an in-pack chance promotion if it meets the requirements of s. 100.16 (2).

**Vetoed
in Part** ~~d. A notice given to an individual that he or she has been selected or may be eligible to receive a prize if the notice accompanies an offer to sell goods or services and the offeror gives the individual the right to return any unused and undamaged goods received from the offeror or cancel ordered services within 7 days of the receipt of the goods or the ordering of services for a full refund to be paid within 30 days from the date of the return of the goods or the cancellation of the services.~~

(c) "Solicitor" means a person who represents to an individual that the individual has been selected or may be eligible to receive a prize.

(d) "Sponsor" means a person on whose behalf a solicitor gives a prize notice.

(e) "Verifiable retail value" of a prize means:

1. A price at which the solicitor or sponsor can demonstrate that a substantial number of the prizes have been sold by a person other than the solicitor or sponsor in the trade area in which the prize notice is given.

2. If the solicitor or sponsor is unable to satisfy subd. 1, no more than 1.5 times the amount the solicitor or sponsor paid for the prize.

(2) WRITTEN PRIZE NOTICE REQUIRED. If a solicitor represents to an individual that the individual has been selected or may be eligible to receive a prize, the solicitor may not request, and the solicitor or sponsor may not accept, a payment from the individual in any form before the individual receives a written prize notice that contains all of the information required under sub. (3) (a) presented in the manner required under sub. (3) (b) to (f).

(3) DELIVERY AND CONTENTS OF WRITTEN PRIZE NOTICES. (a) A written prize notice shall contain all of the following information presented in the manner required under pars. (b) to (f):

1. The name and address of the solicitor and sponsor.

2. The verifiable retail value of each prize the individual has been selected or may be eligible to receive.

3. If the notice lists more than one prize that the individual has been selected or may be eligible to receive, a statement of the odds the individual has of receiving each prize.

4. Any requirement or invitation for the individual to view, hear or attend a sales presentation in order to claim a prize, the approximate length of the sales presentation and a description of the property or service that is the subject of the sales presentation.

5. Any requirement that the individual pay shipping or handling fees or any other charges to obtain or use a prize.

6. If receipt of the prize is subject to a restriction, a statement that a restriction applies, a description of the restriction and a statement containing the location in the notice where the restriction is described.

7. Any limitations on eligibility.

(b) 1. The verifiable retail value and the statement of odds required in a written prize notice under par. (a) 2 and 3 shall be stated in immediate proximity to each listing of the prize in each place the prize appears on the written prize notice and shall be in the same size and boldness of type as the prize.

2. The statement of odds shall include, for each prize, the total number of prizes to be given away and the total number of written prize notices to be delivered. The number of prizes and written prize notices shall be stated in Arabic numerals. The statement of odds shall be in the following form: "... (number of prizes) out of written prize notices".

3. The verifiable retail value shall be in the following form: "verifiable retail value: \$".

(c) If an individual is required to pay shipping or handling fees or any other charges to obtain or use a prize, the following statement shall appear in immediate proximity to each listing of the prize in each place the prize appears in the written prize notice and shall be in not less than 10-point boldface type: "YOU MUST PAY \$.... IN ORDER TO RECEIVE OR USE THIS ITEM."

(d) The information required in a written prize notice under par. (a) 4 shall be on the first page of the written prize notice in not less than 10-point boldface type. The information required under par. (a) 6 and 7 shall be in not less than 10-point boldface type.

(e) If a written prize notice is given by a solicitor on behalf of a sponsor, the name of the sponsor shall be more prominently and conspicuously displayed than the name of the promoter.

(f) A solicitor or sponsor may not do any of the following:

1. Place on an envelope containing a written prize notice any representation that the person to whom the envelope is addressed has been selected or may be eligible to receive a prize.

2. Deliver a written prize notice that contains language, or is designed in a manner, that would lead a

reasonable person to believe that it originates from a government agency, public utility, insurance company, consumer reporting agency, debt collector or law firm unless the written prize notice originates from that source.

3. Represent directly or by implication that the number of individuals eligible for the prize is limited or that an individual has been selected to receive a particular prize unless the representation is true.

(4) SALES PRESENTATIONS. If a prize notice requires or invites an individual to view, hear or attend a sales presentation in order to claim a prize, the sales presentation may not begin until the solicitor does all of the following:

(a) Informs the individual of the prize, if any, that has been awarded to the individual.

(b) If the individual has been awarded a prize, delivers to the individual the prize or the item selected by the individual under sub. (5) if the prize is not available.

(5) PRIZE AWARD REQUIRED; OPTIONS IF PRIZE NOT AVAILABLE. (a) A solicitor who represents to an individual in a written prize notice that the individual has been awarded a prize shall provide the prize to the individual unless the prize is not available. If the prize is not available, the solicitor shall provide the individual with any one of the following items selected by the individual:

1. Any other prize listed in the written prize notice that is available and that is of equal or greater value.

2. The verifiable retail value of the prize in the form of cash, a money order or a certified check.

3. A voucher, certificate or other evidence of obligation stating that the prize will be shipped to the individual within 30 days at no cost to the individual.

(b) If a voucher, certificate or other evidence of obligation delivered under par. (a) 3 is not honored within 30 days, the solicitor shall deliver to the individual the verifiable retail value of the prize in the form of cash, a money order or a certified check. The sponsor shall make the payment to the individual if the solicitor fails to do so.

(6) COMPLIANCE WITH OTHER LAWS. Nothing in this section shall be construed to permit an activity prohibited by s. 945.02 (3).

(7) PENALTIES. (a) Whoever violates this section may be required to forfeit not less than \$100 nor more than \$5,000 for each violation.

(b) Whoever intentionally violates this section may be fined not more than \$10,000 or imprisoned for not more than 2 years or both. A person intentionally violates this section if the violation occurs after the department of justice or a district attorney has notified the person by certified mail that the person is in violation of this section.

(8) ENFORCEMENT. The department of justice shall investigate violations of this section. The department of justice or any district attorney may on behalf of the state:

(a) Bring an action for temporary or permanent injunctive or other relief in any court of competent jurisdiction for any violation of this section. The court may, upon entry of final judgment, award restitution when appropriate to any person suffering loss because of a violation of this section if proof of such loss is submitted to the satisfaction of the court.

(b) Bring an action in any court of competent jurisdiction for the penalties authorized under sub. (6).

(9) PRIVATE ACTION. In addition to any other remedies, a person suffering pecuniary loss because of a violation by another person of this section may bring an action in any court of competent jurisdiction and shall recover all of the following:

(a) The greater of \$500 or twice the amount of the pecuniary loss.

(b) Costs and reasonable attorney fees, notwithstanding s. 814.04.

~~SECTION 669k. 134.74 (1) (b) 2. c. of the statutes, as created by 1991 Wisconsin Act ... (this act), is amended to read:~~ **Vetoed in Part**

~~134.74 (1) (b) 2. c. A notice given in the form of an in-pack chance promotion if it meets the requirements of s. 100.16 (2) 130.16 (2).~~

~~SECTION 669l. 134.83 (title) and (1) to (4) of the statutes are renumbered 130.14 (title) and (1) to (4).~~

~~SECTION 669m. 134.83 (5) of the statutes is renumbered 130.14 (5), and 130.14 (5) (intro.) as renumbered, is amended to read:~~

~~130.14 (5) (intro.) The department of justice or any district attorney may on behalf of the state.~~

~~SECTION 669n. 134.83 (6) of the statutes is repealed.~~

~~SECTION 669p. 134.83 (7) and (8) of the statutes are renumbered 130.14 (7) and (8).~~

~~SECTION 669g. 134.99 (1) of the statutes is amended to read:~~

~~134.99 (1) Whoever is concerned in the commission of a violation of this chapter, except s. 134.83, for which a forfeiture is imposed is a principal and may be charged with and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.~~

~~SECTION 669r. 136.001 (2) of the statutes is amended to read:~~

~~136.001 (2) This chapter does not preempt the administration or enforcement of ch. 100 130. Conduct proscribed by this chapter may also constitute violations of s. 100.18 130.07 or 100.20 130.09, or administrative rules adopted under such sections.~~

~~SECTION 669re. 136.001 (3) of the statutes is renumbered 136.001 (3) (intro.) and amended to read:~~

~~136.001 (3) (intro.) This chapter applies to all future service contracts solicited, or offered by a contractor, or accepted or signed by a customer, in this state, except those that meet all of the following requirements:~~

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SECTION 669rm. 136.001 (3) (a) of the statutes is created to read:

136.001 (3) (a) Give the customer the right to cancel the future service contract within at least the first 30 days of the future service contract.

SECTION 669rs. 136.001 (3) (b) of the statutes is created to read:

136.001 (3) (b) Require the contractor to refund all customer fees, all money received for services not provided to the customer and all money received for goods returned to the contractor other than shipping, handling or trial period fees not exceeding a total of \$10 if the customer cancels the future service contract within the cancellation period permitted under the future service contract.

SECTION 699rv. 136.001 (3) (c) of the statutes is created to read:

136.001 (3) (c) Impose a customer fee of not more than \$75 for a 12-month period.

Vetoed in Part SECTION 669s. 136.03 (2) of the statutes is amended to read:

136.03 (2) In addition to the remedies otherwise provided by law, any person injured by a violation of this chapter or any rule or order issued pursuant to s. 136.04 may bring a civil action for damages pursuant to s. 100.20 (5) 130.09 (6). Any person injured by breach of any future service contract may bring a civil action to recover damages together with costs and disbursements, including reasonable attorney fees, and such other equitable relief as may be determined by the court.

SECTION 669t. 136.04 (title) of the statutes is amended to read:

136.04 (title) Powers of the department of justice.

SECTION 669u. 136.04 (1) of the statutes is amended to read:

136.04 (1) The department of agriculture, trade and consumer protection justice may adopt such rules as may be required to carry out the purposes of this chapter.

SECTION 669v. 136.04 (2) of the statutes is amended to read:

136.04 (2) The department of agriculture, trade and consumer protection justice after public hearing may promulgate rules and issue general or special orders to carry out the purposes of this chapter and to determine and prohibit unfair trade practices in business or unfair methods of competition in business pursuant to s. 100.20 (2) to 130.09 (4) and (5).

Vetoed in Part SECTION 669w. 138.09 (7) (i) 2 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

138.09 (7) (i) 2. An amount sufficient to cover the fee for filing the termination statement required by s. 409.404 on loans secured by merchandise other than a motor vehicle or a boat, and

~~SECTION 669x. 138.09 (7) (i) 3 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~138.09 (7) (i) 3. On motor vehicle loans, the actual filing fee required for filing with the department of transportation under ch. 342 or, on boat loans, the filing fee required for filing with the department of natural resources under ch. 30.~~

SECTION 670. 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, 45 19 mills on each cigarette.

(b) On cigarettes weighing more than 3 pounds per thousand, ~~30~~ 38 mills on each cigarette.

SECTION 670ag. 140.05 (16) (f) of the statutes is amended to read:

140.05 (16) (f) The department shall provide the vaccines without charge, if federal or state funds are available for the vaccines, upon request of the governing body of a county, city, village or town or of the school board. The department shall provide the necessary professional consultant services to carry out an immunization program, under the requirements of par. (fm), in the requesting county, municipality or school district. Persons immunized may not be charged for vaccines furnished by the department.

SECTION 670ah. 140.05 (16) (fm) of the statutes is created to read:

140.05 (16) (fm) 1. An immunization program under par. (f) shall be supervised by a physician, as defined in s. 448.01 (5), selected by the county, city, village or town or school board, who shall issue written orders for the administration of immunizations that are in accordance with written protocols issued by the department. ~~Registered nurses who are licensed under ch. 441 shall administer the immunizations.~~

2. If the physician under subd. 1 is not an employe of the county, city, village, town or school district, receives no compensation for his or her services under subd. 1 and acts under subd. 1 in accordance with written protocols issued by the department, he or she is a state agent of the department for the purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

3. The department may disapprove the selection made under subd. 1 or may require the removal of a physician under subd. 2.

SECTION 670f. 140.77 (2) of the statutes is amended to read:

140.77 (2) The pesticide review board shall appoint a council not to exceed 6 members of technical or professional experts composed of one representative each from the department of agriculture, trade and consumer protection, department of health and social services, department of natural resources, college of agricultural and life sciences of the university of Wisconsin, water resources center of the university of Wisconsin, school of natural resources of the university of Wisconsin, and in addition 3 public members

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part appointed by the governor and confirmed by the senate for staggered 3-year terms who shall be technical or professional experts in the use of pesticides, one of whom shall be a representative of the pesticide industry, one of whom shall be a representative of the agricultural industry and one of whom shall be a person of broad knowledge and experience in the conservation and wise use of natural resources. The council shall generally assist the review board and shall assist particularly in obtaining scientific data and coordinating pesticide regulatory, enforcement, research and educational functions of the state.

SECTION 670gm. 143.07 (5m) of the statutes is created to read:

143.07 (5m) A health care professional, as defined in s. 968.38 (1) (a), acting under an order of a court under s. 968.38 (4) may, without first obtaining informed consent to the testing, subject a defendant to a test or a series of tests to ascertain whether the defendant is infected with a sexually transmitted disease. No sample used for performance of a test under this subsection may disclose the name or any other identifying characteristic of the test subject.

Vetoed in Part

SECTION 670gn. 143.07 (7) of the statutes is amended to read:

143.07 (7) Reports, examinations and inspections and all records concerning sexually transmitted diseases are confidential and not open to public inspection, and shall not be divulged except as may be necessary for the preservation of the public health or, in the course of commitment proceedings under sub. (5) or as provided under s. 968.38 (4). If a physician has reported a case of sexually transmitted disease to the department under sub. (4), information regarding the presence of the disease and treatment is not privileged when the patient or physician is called upon to testify to the facts before any court of record.

Vetoed in Part

SECTION 670jb. 144.025 (2) (u) of the statutes is amended to read:

144.025 (2) (u) Under the procedure specified in par. (v), the department, in consultation with the department of agriculture, and trade and consumer protection, may order or cause the abatement of pollution which the department has determined to be significant and caused by a nonpoint source, as defined in s. 144.25 (2) (b), including pollution which causes the violation of a water quality standard, pollution which significantly impairs aquatic habitat or organisms, pollution which restricts navigation due to sedimentation, pollution which is deleterious to human health or pollution which otherwise significantly impairs water quality, but not including any pollution caused primarily by animal waste.

SECTION 670jc. 144.025 (2) (v) 1 of the statutes is amended to read:

144.025 (2) (v) 1. If the department determines under par. (u) that significant pollution is caused by a nonpoint source, the department shall send a written notice of intent to issue an order to abate the pollution

to the person whom the department determines to be responsible for the nonpoint source to the department of agriculture, and trade and consumer protection and to the land conservation committee created under s. 92.06 in every county in which the nonpoint source is located. The notice shall describe the department's findings and intent, and shall include a date by which that person is required to abate the pollution. That date shall be at least one year after the date of the notice unless the department determines that the pollution is causing or will cause severe water quality degradation that could be mitigated or prevented by abatement action taken in less than one year. In its determination under this paragraph, the department shall consider the nature of the actual or potential damage caused by the pollution and the feasibility of measures to abate that pollution.

Vetoed in Part

SECTION 670jcm. 144.025 (2) (v) 2. (intro.) of the statutes is amended to read:

144.025 (2) (v) 2. (intro.) If the nonpoint source which is the subject of a notice under subd. 1 is agricultural, the department of agriculture, and trade and consumer protection shall do all of the following:

SECTION 670jd. 144.025 (2) (v) 2. a. of the statutes is amended to read:

144.025 (2) (v) 2. a. Upon receipt of the notice and in cooperation with the land conservation committee, provide to the person whom the department has determined to be responsible for the nonpoint source a listing of management practices which, if followed, would reduce pollution to an amount which the department of natural resources determines to be acceptable. The list shall, with reasonable limits, set forth all of the options which are available to the person to reduce pollution to that amount of pollution, and shall include an explanation of financial aids and technical assistance which may be available to the person for the abatement of pollution from the department of agriculture, and trade and consumer protection under s. 92.14 and from other sources.

SECTION 670je. 144.025 (2) (v) 2. b. of the statutes is amended to read:

144.025 (2) (v) 2. b. Issue a report to the department within one year after the date of the notice which describes the actions taken by the person whom the department has determined to be responsible for the nonpoint source and a recommendation as to whether the department should issue an order to abate the pollution caused by that nonpoint source. Notwithstanding subd. 1, the department may not issue an order to abate that pollution until the department receives that report unless the department determines that the pollution is causing or will cause severe water quality degradation which could be mitigated or prevented by abatement action taken in less than one year and unless the department of agriculture, and trade and consumer protection files a concurring determination in writing with the department within 30 days after receiving notice of the department's determination.

Vetoed in Part SECTION 670jf. 144.027 (1) (c) of the statutes is amended to read:

144.027 (1) (e) 1. Approved by the department of agriculture, and trade and consumer protection for grade A milk production under s. 97.24, or

SECTION 670jfb. 144.21 (3) (c) of the statutes is amended to read:

144.21 (3) (c) All municipalities and school districts are eligible for agreements under sub. (6) (a) and (b) based on the criteria in this paragraph. The criteria shall consider the health hazards of existing conditions, the extent and nature of pollution, per capita costs of the project, property valuation of the municipalities or school districts as equalized by the state, income of the residents in the municipalities or school districts, the availability of federal funds for the project, soil conditions, the feasibility and practicality of the project, the borrowing capacity of the municipality or school district and any other factors which the department considers important. Municipalities or school districts commencing projects but not completed prior to January 18, 1970, shall be deemed eligible for agreements under sub. (6) (a) and (b). School district projects are not eligible if the project is located within the corporate limits of a city or of a village with an operating municipal sewage system.

SECTION 670jfc. 144.21 (6) (a) and (c) of the statutes are repealed.

SECTION 670jfd. 144.21 (8) of the statutes is amended to read:

144.21 (8) After June 30, 1979, the department may not enter into any agreements or contracts under sub. (6) (a) or (b), but the department shall continue to make payments on existing agreements and contracts until the terms of the agreements and contracts are fully satisfied.

Vetoed in Part SECTION 670jfe. 144.2415 (1) (c) of the statutes is amended to read:

144.2415 (1) (c) "Municipality" means any city, town, village, county, county utility district established under s. 66.072, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or federally recognized American Indian tribe or band in this state.

Vetoed in Part SECTION 670jfm. 144.25 (4) (as) of the statutes is amended to read:

144.25 (4) (as) Consult with the department of agriculture, and 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, and trade and consumer protection.

SECTION 670jg. 144.25 (4) (c) of the statutes is amended to read:

144.25 (4) (c) Through the continuing planning process under s. 147.25, identify those priority water-

sheds where the need for nonpoint source water pollution abatement is most critical. The department shall prepare project funding lists for large-scale and small-scale projects subject to the approval of the department of agriculture, and trade and consumer protection.

SECTION 670jn. 144.25 (4) (cd) of the statutes is amended to read:

144.25 (4) (cd) Identify, through the continuing planning process under s. 147.25, the lakes where the need for nonpoint source water pollution abatement is most critical and identify for those lakes the best management practices necessary to meet water quality objectives. The department shall prepare project funding lists for projects affecting priority lakes subject to the approval of the department of agriculture, and trade and consumer protection.

SECTION 670ji. 144.25 (4) (ce) of the statutes is amended to read:

144.25 (4) (e) Promulgate rules, in consultation with the department of agriculture, and 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 the 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 670jj. 144.25 (4) (g) (intro.) of the statutes is amended to read:

144.25 (4) (g) (intro.) In cooperation with the department of agriculture, and trade and consumer protection, and the appropriate governmental unit, prepare priority watershed and priority lakes plans to implement nonpoint source water pollution abatement projects in priority watersheds and priority lakes. In preparing the plans, the department shall:

SECTION 670jk. 144.25 (4) (g) 2 of the statutes is amended to read:

144.25 (4) (g) 2. Promote significant participation from the department of agriculture, and trade and consumer protection and other state agencies, governmental units and other persons located in any watershed or in any project affecting a priority lake which is the subject of the plan.

SECTION 670jl. 144.25 (4) (g) 4 of the statutes is amended to read:

144.25 (4) (g) 4. In cooperation with the department of agriculture, and trade and consumer protection, incorporate the appropriate best management practices into the plan.

Vetoed in Part

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in Part

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in Part

~~SECTION 670m. 144.25 (4) (i) of the statutes is amended to read:~~

~~144.25 (4) (i) Cooperate with the department of agriculture, and trade and consumer protection under s. 92.14 (6).~~

~~SECTION 670n. 144.25 (4) (j) of the statutes is amended to read:~~

~~144.25 (4) (j) In cooperation with the department of agriculture, and 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) (cs) for services to administer or implement this chapter, including information and education and training.~~

~~SECTION 670p. 144.25 (4) (o) of the statutes is amended to read:~~

~~144.25 (4) (o) Annually, in cooperation with the department of agriculture, and trade and consumer protection, submit a report on the progress of the program under this section to the land conservation board.~~

~~SECTION 670q. 144.25 (4) (p) of the statutes is amended to read:~~

~~144.25 (4) (p) Jointly with the department of agriculture, and 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 670r. 144.25 (4) (pm) of the statutes is amended to read:~~

~~144.25 (4) (pm) Jointly with the department of agriculture, and trade and consumer protection, develop the forms required under s. 92.14 (14).~~

~~SECTION 670s. 144.25 (4) (q) of the statutes is amended to read:~~

~~144.25 (4) (q) Consult with the department of agriculture, and trade and consumer protection when it prepares the information which it submits to the department of administration under s. 16.42.~~

~~SECTION 670t. 144.25 (4) (r) of the statutes is amended to read:~~

~~144.25 (4) (r) Jointly with the department of agriculture, and trade and consumer protection, develop the standards under sub. (5) (c).~~

~~SECTION 670u. 144.25 (4m) (c) of the statutes is amended to read:~~

~~144.25 (4m) (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, and trade and consumer protection. That county and the department of agriculture, and 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.~~

~~SECTION 670v. 144.25 (4m) (d) of the statutes is amended to read:~~

~~144.25 (4m) (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, and 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 670vm. 144.25 (5) (intro.) of the statutes is amended to read:~~

~~144.25 (5) (intro.) The department of agriculture, and trade and consumer protection shall:~~

~~SECTION 670w. 144.25 (8) (g) (intro.) of the statutes is amended to read:~~

~~144.25 (8) (g) (intro.) The department may increase the state share of a cost-sharing grant under this section up to 70% of the cost of implementing the best management practice if the department, in consultation with the department of agriculture, and trade and consumer protection, determines that:~~

~~SECTION 670wm. 144.25 (8) (h) 1 of the statutes is amended to read:~~

~~144.25 (8) (h) 1. The department, in consultation with the department of agriculture, and trade and consumer protection, determines that par. (g) 1 and 2 applies; and~~

~~SECTION 670x. 144.25 (10) of the statutes is amended to read:~~

~~144.25 (10) To the greatest extent practicable, the department, the department of agriculture, and trade and consumer protection and the administering and implementing governmental unit shall encourage and utilize the Wisconsin conservation corps for appropriate projects.~~

~~SECTION 670y. 144.251 of the statutes is amended to read:~~

~~**144.251 Watershed projects.** The department shall assist and advise the department of agriculture, and trade and consumer protection regarding watershed projects under 16 USC 1001 to 1008.~~

~~SECTION 670z. 144.253 (3) (a) of the statutes is amended to read:~~

~~144.253 (3) (a) Eligible recipients, to consist of counties, cities, towns, villages, qualified lake associations and, town sanitary districts, public inland lake protection and rehabilitation districts and other local governmental units, as defined in s. 66.299 (1) (a), that are established for the purpose of lake management.~~

~~SECTION 685. 144.30 (22rm) of the statutes is created to read:~~

144.30 (22rm) "Regulated pollutant" means any of the following, except for carbon monoxide:

- (a) A volatile organic compound.
- (b) An oxide of nitrogen.
- (c) A pollutant regulated under 42 USC 7411 or 7412.
- (d) A pollutant for which a national primary ambient air quality standard has been promulgated under 42 USC 7409.

SECTION 753. 144.399 (1) (a) of the statutes is amended to read:

144.399 (1) (a) *Application for permit.* Reviewing and acting upon any application for ~~an air pollution control~~ a construction permit.

SECTION 754. 144.399 (1) (b) of the statutes is repealed.

SECTION 755c. 144.399 (2) of the statutes is repealed and recreated to read:

144.399 (2) FEES FOR PERSONS REQUIRED TO HAVE OPERATION PERMITS. (a) The department shall promulgate rules for the payment and collection of fees by the owner or operator of a stationary source for which an operation permit is required. The rules shall provide all of the following:

1. That fees collected in a year are based on actual emissions of all regulated pollutants and any other air contaminant specified by the department in the rules in the preceding year.

2. Except as provided under par. (c), that the fees collected in 1993 are \$18 per ton of each regulated pollutant.

2g. Except as provided under par. (c), that the fees collected in 1994 are \$25 per ton increased by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), for 1993 exceeds the consumer price index for 1989.

2r. That the fees collected in each year after 1994 are calculated by increasing the fees collected in the preceding year by the percentage by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v), increased in the preceding year.

3. That fees are not based on emissions by an air contaminant source in excess of 4,000 tons per year of each regulated pollutant, except that, subject to par. (am), this limitation does not apply to a major utility, as defined in s. 144.385 (2) (b), that owns or operates a phase I affected unit as listed in Table A of 42 USC 7651c.

4. That during 1995 to 1999, no fee is required to be paid under this subsection for emissions from any affected unit under 42 USC 7651c.

(am) The department may not charge a major utility fees on emissions in excess of 4,000 tons per year of each regulated pollutant beyond the amount necessary to recover the fees that would have been charged for any phase I affected unit under 42 USC 7651c owned by that major utility if the prohibition in par. (a) 4 did not exist.

(b) The fees collected under par. (a) shall be credited to the appropriations under s. 20.370 (2) (bg) and (8) (mg) for the following:

1. The costs of reviewing and acting on applications for operation permits; implementing and enforcing operation permits except for court costs or other costs associated with an enforcement action; monitoring emissions and ambient air quality; preparing rules and materials to assist persons who are subject to the operation permit program; ambient air quality modeling; preparing and maintaining emission inventories; and any other direct and indirect costs of the operation permit program.

2. Costs of any other activities related to stationary sources of air contaminants.

(c) The department may promulgate a rule reducing any operation permit fee required to be paid under par. (a) by small business stationary sources to take into account the financial resources of small business stationary sources.

SECTION 756c. 144.399 (3) of the statutes is repealed.

SECTION 757c. 144.399 (4) of the statutes is amended to read:

144.399 (4) INFORMATION ON FEES. In promulgating rules under ~~sub.~~ subs. (1) and (2), the department shall provide information on the costs upon which the proposed fees are based.

SECTION 758. 144.399 (6) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

144.399 (6) (title) USE OF CERTAIN FEES. The department shall use moneys collected under ~~this section~~ subs. (1) and (5) for the purposes in ~~sub. (1) (a) to (c)~~ subs. (1) and (5). If moneys collected under ~~this section~~ subs. (1) and (5) exceed the amounts necessary for the purposes specified in ~~sub. (1) (a) to (c)~~ subs. (1) and (5), the department may use the excess for other activities to control air pollution in this state.

~~SECTION 763d. 144.422 (1) of the statutes is amended to read:~~ **Vetoed in Part**

~~144.422 (1) DEFINITION. In this section, "ozone-depleting refrigerant" has the meaning given in s. 109.45 130.33 (1) (d).~~

~~SECTION 763e. 144.44 (3) (b) 5 of the statutes is created to read:~~ **Vetoed in Part**

~~144.44 (3) (b) 5. The municipal waste landfill operator does not have or does not obtain approval to use an alternative daily cover that consumes less landfill space.~~

~~SECTION 763g. 144.442 (1s) (b) 1 of the statutes is amended to read:~~ **Vetoed in Part**

~~144.442 (1s) (b) 1. A generator of hazardous waste shall pay a base fee of \$100 if the generator has generated more than zero pounds in that particular year plus \$9.~~

~~1m. In addition to the base fee under subd. 1, a generator of hazardous waste shall pay \$12.50 per ton~~

Vetoed in Part of hazardous waste generated during the reporting year

~~SECTION 763gd. 144.442 (1s) (e) of the statutes is amended to read:~~

~~144.442 (1s) (e) All moneys received under this subsection shall be credited to the environmental fund for environmental repair and hazardous waste education.~~

SECTION 763h. 144.455 (2) of the statutes is amended to read:

144.455 (2) APPLICATION. A political subdivision that closes a nonapproved facility which it owns or operates may apply to the department for a cost-sharing grant. The application shall include information requested by the department. The department may establish a deadline for applying for a cost-sharing grant.

Vetoed in Part SECTION 763k. 144.76 (2) (d) of the statutes is created to read:

~~144.76 (2) (d) The department shall report every notification that it receives under this subsection related to the discharge of an agricultural chemical, as defined in s. 94.73 (1) (a), to the department of agriculture, trade and consumer protection.~~

SECTION 764. 144.96 (3) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

144.96 (3) (a) There is established an annual air contaminant environmental fee to be paid by each person required to report under sub. (1). The fee shall be based on an administrative fee of \$100 plus an additional fee, to be set by the department by rule and to be based on the concentration or quantity or both of air contaminants discharged in relation to the parameters established under sub. (2) (a). A person may not be required to pay fees on emissions under this subsection for any year for which that person is required to pay fees on those same emissions under s. 144.399 (2) (a).

SECTION 765. 144.96 (3) (d) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

144.96 (3) (d) The annual environmental fees under this section shall be paid for each plant at which pollutants are discharged. ~~In any one year the annual air contaminant environmental fee under par. (a) shall be reduced for a plant which is a stationary source and which has paid fees under s. 144.399 by the amount of those fees.~~

SECTION 765cb. 146.024 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 32 and 1991 Wisconsin Act 39, section 2626r, is renumbered 146.024 (1) (ar) and amended to read:

146.024 (1) (ar) "Health care provider" means a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed or an occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a

speech-language pathologist or audiologist registered under subch. III of ch. 459, a speech and language pathologist licensed by the department of public instruction, an employe or agent thereof, a partnership thereof, a corporation thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employes in its own facility, an emergency medical technician—paramedic or an emergency medical technician—basic technician licensed under s. 146.50 (5).

SECTION 765cc. 146.024 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, section 2626s, is renumbered 146.024 (1) (ar) and amended to read:

146.024 (1) (ar) "Health care provider" means a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed or an occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a speech-language pathologist or audiologist licensed under subch. II of ch. 459, a speech and language pathologist licensed by the department of public instruction, an employe or agent thereof, a partnership thereof, a corporation thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employes in its own facility, an emergency medical technician—advanced (paramedic) licensed under s. 146.35 or an ambulance attendant technician licensed under s. 146.50 (5).

SECTION 765cd. 146.024 (1) (ad) of the statutes is created to read:

146.024 (1) (ad) "Correctional officer" has the meaning given in s. 301.28 (1).

SECTION 765ce. 146.024 (1) (am) of the statutes is created to read:

146.024 (1) (am) "Fire fighter" has the meaning given in s. 102.475 (8) (b).

SECTION 765cf. 146.024 (1) (e) and (f) of the statutes are created to read:

146.024 (1) (e) "Peace officer" means a sheriff, undersheriff, deputy sheriff, police officer, constable, marshal or deputy marshal.

(f) "State patrol officer" means an officer of the state traffic patrol under s. 110.07 (1) (a).

SECTION 765cg. 146.024 (2) (intro.) of the statutes is amended to read:

146.024 (2) (intro.) No health care provider, peace officer, fire fighter, correctional officer, state patrol officer, home health agency or inpatient health care facility or person who has access to a validated test result, as defined in s. 146.025 (1) (g), may do any of the following with respect to an individual who has acquired immunodeficiency syndrome or has a positive test for the presence of HIV, antigen or nonan-

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tigenic products of HIV or an antibody to HIV, solely because the individual has HIV infection or an illness or medical condition that is caused by, arises from or is related to HIV infection:

SECTION 765ch. 146.024 (2) (am) and (bm) of the statutes are created to read:

146.024 (2) (am) If a peace officer, fire fighter, correctional officer or state patrol officer, refuse to provide services to the individual.

(bm) If a peace officer, fire fighter, correctional officer or state patrol officer, provide services to the individual at a standard that is lower than that provided other individuals with like service needs.

SECTION 765ci. 146.025 (1) (a) of the statutes is renumbered 146.025 (1) (ar) (intro.) and amended to read:

146.025 (1) (ar) (intro.) "Health care provider" has the meaning given under s. 146.81 (1). means any of the following:

SECTION 765cj. 146.025 (1) (ad) of the statutes is created to read:

146.025 (1) (ad) "Correctional officer" has the meaning given in s. 301.28 (1).

SECTION 765ck. 146.025 (1) (af) of the statutes is created to read:

146.025 (1) (af) "Emergency medical technician" has the meaning given in s. 146.50 (1) (e).

SECTION 765cL. 146.025 (1) (aj) of the statutes is created to read:

146.025 (1) (aj) "Fire fighter" has the meaning given in s. 102.475 (8) (b).

SECTION 765cm. 146.025 (1) (am) of the statutes is created to read:

146.025 (1) (am) "Health care professional" means a physician who is licensed under ch. 448. or a registered nurse or licensed practical nurse who is licensed under ch. 441.

SECTION 765cmc. 146.025 (1) (ar) 1 and 2 of the statutes are created to read:

146.025 (1) (ar) 1. A person or entity that is specified in s. 146.81 (1).

2. A home health agency.

SECTION 765cmd. 146.025 (1) (cm) of the statutes is created to read:

146.025 (1) (cm) "Home health agency" has the meaning given in s. 141.15 (1) (a).

SECTION 765cn. 146.025 (1) (eb) of the statutes is created to read:

146.025 (1) (eb) "Peace officer" means a sheriff, undersheriff, deputy sheriff, police officer, constable, marshal or deputy marshal.

SECTION 765cnn. 146.025 (1) (em) 1 to 3 of the statutes are amended to read:

146.025 (1) (em) 1. Transmission, into a body orifice or onto mucous membrane, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other

body fluid into a body orifice that is visibly contaminated with blood.

2. Exchange of blood, during the accidental or intentional infliction of a penetrating wound, including a needle puncture, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other body fluid that is visibly contaminated with blood.

3. Blood or other body fluid exchange Exchange, into an eye, an open wound, an oozing lesion, or where a significant breakdown in the epidermal barrier has occurred, of blood; semen; vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial or amniotic fluid; or other body fluid that is visibly contaminated with blood.

SECTION 765cnn. 146.025 (1) (em) 4 and 5 of the statutes are repealed.

SECTION 765cnp. 146.025 (1) (fg) of the statutes is created to read:

146.025 (1) (fg) "State patrol officer" means an officer of the state traffic patrol under s. 110.07 (1) (a).

SECTION 765cp. 146.025 (1) (fm) of the statutes is amended to read:

146.025 (1) (fm) "Universal precautions" means measures that a health care provider or, an employe of a health care provider or other individual takes in accordance with recommendations of the federal centers for disease control for the health care provider, employe or other individual for prevention of HIV transmission in health-care settings.

~~SECTION 765cpn. 146.025 (1m) of the statutes is created to read.~~

~~146.025 (1m) TEST PERFORMANCE RESTRICTION. No person except a health care provider, blood bank, blood center, plasma center or a laboratory certified under s. 143.15 may perform a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV.~~

SECTION 765cpn. 146.025 (2) (a) 1r of the statutes is renumbered 146.025 (2) (am) 1 and amended to read:

146.025 (2) (am) 1. A health care provider who procures, processes, distributes or uses human sperm or ova donated as specified under s. 157.06 (6) (a) or (b) shall, prior to the procurement, processing, distribution or use and with informed consent under the requirements of par. (b), test the proposed donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV in order to assure medical acceptability of the gift for the purpose intended. The health care provider shall use as a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV a test or series of tests that the state epidemiologist finds medically significant and sufficiently reliable under s. 146.023 (1r) to detect the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV. The health care provider shall test the donor initially and, if the initial test result is negative, shall perform a 2nd test on a date

Vetoed
in Part

that is not less than ~~90~~ 180 days from the date of initial testing. ~~If the donor continues after the date of the 2nd test to donate sperm or ova, the health care provider shall test the donor at least every 3 months from the date the procurement of the sperm. No person may use the donated sperm until the health care provider has obtained the results of the 2nd test. If any validated test result of the donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV is positive, the sperm or ova donated for use may not be used and, if donated, shall be destroyed.~~

SECTION 765cr. 146.025 (2) (a) 5. a. of the statutes is amended to read:

146.025 (2) (a) 5. a. The health care provider or employe uses universal precautions against significant exposure, and was using universal precautions at the time he or she was significantly exposed, except in those emergency circumstances in which the time necessary for use of the universal precautions would endanger the life of the patient.

Vetoed in Part SECTION 765cs. 146.025 (2) (a) 5. bm. of the statutes is created to read:

~~146.025 (2) (a) 5. bm. The health care provider or employe obtains, after the alleged significant exposure and before 6 days after making any request under subd. 5. b., a like test for himself or herself, regardless of whether he or she has previously obtained a test for himself or herself, at a site that provides counseling, as funded under s. 146.022 (2) (a) 8, or from a health care professional that is not the same individual as the health care provider or employe. The health care professional who administers this test may be a fellow employe of or otherwise associated with the health care provider or employe.~~

SECTION 765ct. 146.025 (2) (a) 5m of the statutes is amended to read:

146.025 (2) (a) 5m. The results of a test of a patient under subd. 5 may be disclosed only to the patient, if the patient so consents, to anyone authorized by the patient and to the health care provider or employe of a health care provider who was significantly exposed. A record may be retained of the results of the test only if the record does not reveal the patient's identity. If the health care provider or employe knows the identity of the patient whose blood was tested, he or she may not disclose the identity to any other person except for the purpose of having the test performed.

SECTION 765cu. 146.025 (2) (a) 6 of the statutes is created to read:

146.025 (2) (a) 6. A health care professional acting under an order of the court under subd. 7 or s. 968.38 (4) may, without first obtaining consent to the testing, subject an individual to a test or a series of tests to detect the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV. A health care professional may administer a test of a health care provider or employe under subd. 5. bm. No sample used for laboratory test purposes under this subdi-

Vetoed in Part

vision may disclose the name or any other identifying characteristic of the test subject, and, notwithstanding sub. (4) (c), the test results may not be made part of the individual's permanent medical record.

Vetoed in Part

SECTION 765cv. 146.025 (2) (a) 7 of the statutes is created to read:

146.025 (2) (a) 7. a. An emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer who provides care or services to an individual, who is significantly exposed to the individual and who, at the time of exposure, was using recommended universal precautions, if any, against exposure, may request the district attorney to apply to the circuit court for his or her county to order the individual to submit to a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV and to disclose the results to the emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer. The emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer may not make the request unless he or she accompanies the request with an affidavit that certifies that he or she has been significantly exposed to the individual and unless he or she obtains, after the alleged significant exposure and before 6 days after making any such request, a like test for himself or herself, at a site that provides counseling, as funded under s. 146.022 (2) (a) 8, or from a health care professional, regardless of whether he or she has previously obtained a test for himself or herself.

Vetoed in Part

b. Upon receipt of a request and affidavit under subd. 7. a., a district attorney shall, as soon as possible so as to enable the court to provide timely notice, apply to the circuit court for his or her county to order the individual to submit to a test or a series of tests as specified in subd. 7. a., administered by a health care professional, and to disclose the results of the test or tests as specified in subd. 7. c.

c. The court shall set a time for a hearing on the matter under subd. 7. a. within 20 days after receipt of an application under subd. 7. b. The court shall give the district attorney and the individual from whom a test is sought notice of the hearing at least 72 hours prior to the hearing. The individual may have counsel at the hearing, and counsel may examine and cross-examine witnesses. If the court finds probable cause to believe that the individual has significantly exposed the emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer, the court shall, except as provided in subd. 7. d., order the individual to submit to a test for the presence of HIV, antigen or nonantigenic products of HIV, an antibody to HIV or a sexually transmitted disease. The court shall require the health care professional who performs the test to refrain from disclosing the test results to the individual and to disclose the results of the test to the emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer and his or her health care professional. No

Vetoed
in Part

sample used for laboratory test purposes under this subd. 7. c. may disclose the name of any other person ~~being characteristic~~ of the test subject.

d. The court is not required to order the individual to submit to a test under subd. 7. c. if the court finds substantial reason relating to the life or health of the individual not to do so and states the reason on the record.

SECTION 765cvm. 146.025 (2) (am) 2 of the statutes is created to read:

146.025 (2) (am) 2. a. A health care provider who procures, processes, distributes or uses human ova donated as specified under s. 157.06 (6) (a) or (b) shall, prior to the distribution or use and with informed consent under the requirements of par. (b), test the proposed donor for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV in order to assure medical acceptability of the gift for the purpose intended, only if the state epidemiologist finds that use of donated human ova provides a significant risk of transmitting HIV to a donee and if, notwithstanding ss. 227.01 (13) and 227.10 (1), the secretary of health and social services issues an order specifying the requirements for the testing.

b. A health care provider shall comply with any order issued under subd. 2. a.

SECTION 765cvn. 146.025 (2) (b) (intro.) of the statutes is amended to read:

146.025 (2) (b) (intro.) The health care provider, blood bank, blood center or plasma center that subjects a person to a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV under ~~par. (a) and (am)~~ shall, in instances under ~~that paragraph~~ those paragraphs in which consent is required, provide the potential test subject with an informed consent form for testing or disclosure that shall contain the following information and on the form shall obtain the potential test subject's signature or may, if the potential test subject has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), instead obtain the signature of the health care agent:

SECTION 765cw. 146.025 (2) (b) 2 of the statutes is amended to read:

146.025 (2) (b) 2. A statement of explanation to the potential test subject that the test results may be disclosed as specified under sub. (5) (a) and either a listing that duplicates the persons or circumstances specified under sub. (5) (a) 2 to ~~15~~ 18 or a statement that the listing is available upon request.

SECTION 765cx. 146.025 (2) (bm) 2 of the statutes is amended to read:

146.025 (2) (bm) 2. A statement of explanation that the test results may be disclosed as specified under sub. (5) (a) and either a listing that duplicates the persons or circumstances specified under sub. (5) (a) 2 to ~~15~~ 18 or a statement that the listing is available upon request.

SECTION 765cy. 146.025 (4) (c) of the statutes is amended to read:

146.025 (4) (c) Maintain a record of the test results obtained. A record that is made under the circumstances described in sub. (2) (a) 5m may not reveal the identity of the test subject.

SECTION 765db. 146.025 (5) (a) (intro.) of the statutes is amended to read:

146.025 (5) (a) (intro.) ~~The results of An individual who is the subject of a test for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV, except a test under sub. (2) (a) 5, may be disclosed only or the individual's health care agent, if the individual has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), may disclose the results of the individual's test to anyone. A person who is neither the individual nor the individual's health care agent may not, unless he or she is specifically authorized by the individual to do so, disclose the individual's test results except to the following persons or under the following circumstances, except that the person who receives a test or, if the person has executed a power of attorney for health care instrument under ch. 155 and has been found to be incapacitated under s. 155.05 (2), the health care agent may under sub. (2) (b) or (3) authorize disclosure to anyone:~~

SECTION 765dc. 146.025 (5) (a) 16 of the statutes is created to read:

146.025 (5) (a) 16. To the health care provider or employe under sub. (2) (a) 5m.

SECTION 765de. 146.025 (5) (a) 17 of the statutes is created to read:

146.025 (5) (a) 17. To an alleged victim or victim, to a health care professional, upon request as specified in s. 968.38 (4) (c), who provides care to the alleged victim or victim and, if the alleged victim or victim is a minor, to the parent or guardian of the alleged victim or victim, under s. 968.38 (4).

SECTION 765df. 146.025 (5) (a) 18 of the statutes is created to read:

146.025 (5) (a) 18. To an emergency medical technician, fire fighter, peace officer, correctional officer or state patrol officer, under sub. (2) (a) 7.

SECTION 765g. 146.0275 (2) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.0275 (2) BREAST CANCER SCREENING PROGRAM. (intro.) From the appropriation under s. 20.435 (1) ~~(ee)~~ (cd), the department shall, in each fiscal year, administer a breast cancer screening program and allocate up to:

(a) At least \$422,600 as grants for provision of mammography services to women who are aged 40 years or older and who reside in ~~Adams, Clark, Dunn, Iron, Kewaunee, Langlade, Marquette, Oconto, Price, Taylor, Trempealeau or Wood county~~ the 12 rural

counties that the department specifies by rule as having the highest incidence in the state of late-stage breast cancer. Grants shall be awarded to an applying hospital or organization that has a mobile or portable mammography unit available for use in an area of service under this subsection paragraph and that is selected by the department under procedures established by the department. Payment for services provided under a grant shall be as follows:

SECTION 765h. 146.0275 (2) (a) to (c) of the statutes, as affected by 1991 Wisconsin Act 39, are renumbered 146.0275 (2) (a) 1 to 3.

SECTION 765i. 146.0275 (2) (b) of the statutes is created to read:

146.0275 (2) (b) At least \$20,000 for the development and provision by the department, of media announcements and of educational materials concerning the need for and availability of breast cancer screening program services for women in areas served under grants under par. (a).

SECTION 765j. 146.0275 (3) of the statutes is created to read:

146.0275 (3) RULES. The department shall promulgate rules that specify the 12 rural counties having the highest incidence in the state of late-stage breast cancer.

Vetoed in Part

SECTION 765m. 146.125 of the statutes is amended to read:

~~146.125 Powers of villages, cities and towns. Section 95.72 shall not be construed as depriving any city or village from passing any ordinance prohibiting the rendering of dead animals within the boundaries specified in s. 66.052 nor as nullifying any existing law or ordinance prohibiting the rendering of dead animals within such area, nor prohibiting any city or village from licensing, revoking such license, and regulating the business of rendering and transporting dead animals under sanitary conditions no less stringent than provided by said section and the rules of the department of agriculture, and trade and consumer protection and any such licensing and regulation shall be construed as supplementary to the provisions of this section and the rules of the department shall not be construed as excusing or justifying any failure or neglect to comply with this section and the rules of the department. Section 95.72 shall be expressly construed as modifying the powers granted to towns and any city, village or town is empowered to take any action to be taken under s. 146.14 and to institute and maintain court proceedings to prevent, abate or remove any nuisances thereunder and to institute and maintain any action under ss. 823.01, 823.02 and 823.07.~~

Vetoed in Part

SECTION 768m. 146.19 of the statutes is created to read:

~~146.19 Cooperative American Indian health projects. (1) DEFINITIONS. In this section:~~

~~(a) "Inter-tribal organization" means an organization or association of tribes or tribal agencies~~

~~(b) "Other agencies and organizations" means agencies of local, state and federal governments and private organizations that are not inter-tribal organizations or tribal agencies.~~

Vetoed in Part

~~(c) "Tribal agency" means an agency of the governing body of a tribe.~~

~~(d) "Tribe" means the governing body of a federally recognized American Indian tribe or band located in this state.~~

~~(2) COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS. From the appropriation under s. 20.435 (1) (sk), the department shall fund grants for cooperative American Indian health projects in order to promote cooperation among tribes, tribal agencies, inter-tribal organizations and other agencies and organizations in addressing specific problem areas in the field of American Indian health. A tribe, tribal agency or inter-tribal organization may apply, in the manner specified by the department, for a grant of up to \$10,000 to conduct a cooperative American Indian health project that meets all of the following requirements:~~

~~(a) The project involves the cooperation of 2 or more tribes, tribal agencies, inter-tribal organizations or other agencies or organizations.~~

~~(b) The project is designed to do at least one of the following:~~

~~1. Develop, test or demonstrate solutions for specific American Indian health problems which, if proven effective, may be applied by other tribes, tribal agencies, inter-tribal organizations or other agencies or organizations.~~

~~2. Fund start-up costs of cooperative programs to deliver health care services to American Indians.~~

~~3. Conduct health care needs assessments and studies related to health care issues of concern to American Indians.~~

~~(3) PRIORITIES. In awarding grants under sub. (2), the department shall consider the goals or priorities specified in the state American Indian health plan under s. 46.32 (2) (a).~~

~~(4) LIMITATION; MATCHING FUNDS. A grant awarded under sub. (2) may not exceed 50% of the cost of the cooperative American Indian health project. Participants in a funded project, as specified in sub. (2) (a), may use in-kind contributions to provide part or all of the required match.~~

SECTION 768r. 146.24 of the statutes is amended to read:

Vetoed in Part

~~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, and 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, and trade and consumer protection and the provisions of the recommended milk ordinance and~~

Vetoed
in Part

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 769. 146.55 (3) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (3) (b) Review the annual budget prepared by the department for the expenditures under s. 20.435 (1) ~~(#)~~ (rm).

SECTION 770. 146.55 (4) (a) of the statutes as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (4) (a) From the appropriation under s. 20.435 (1) ~~(#)~~ (rm), the department shall annually allocate funds for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider's primary service or contract area, as established under s. 146.50 (5).

SECTION 771. 146.55 (5) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

146.55 (5) EMERGENCY MEDICAL TECHNICIAN TRAINING AND EXAMINATION AID. From the appropriation under s. 20.435 (1) ~~(#)~~ (rm), the department shall annually allocate funds to entities, including vocational, technical and adult education districts, whose courses or instructional programs are approved by the department under s. 146.50 (9), to assist the entities in providing the training required for licensure and renewal of licensure as an emergency medical technician — basic under s. 146.50 (6), and to fund each examination administered by the entity for licensure or renewal of licensure as an emergency medical technician — basic under s. 146.50 (6) (a) 3 and (b) 1.

Vetoed
in Part

SECTION 771c. 146.60 (1) (c) of the statutes is amended to read:

146.60 (1) (c) "Department" means the department of agriculture, and trade and consumer protection and the department of natural resources.

SECTION 771g. 146.60 (2) (b) of the statutes is amended to read:

146.60 (2) (b) The department of agriculture, and trade and consumer protection shall be the reviewing department for any regulated release subject to any federal requirement in the coordinated framework, except a requirement under 15 USC 2601 to 2629.

SECTION 771n. 146.60 (3) (c) 1 of the statutes is amended to read:

Vetoed
in Part

146.60 (3) (c) 1. If the department of natural resources receives information under this subsection or sub. (4) (c), it shall provide the department of agriculture, and trade and consumer protection with a copy of the information.

SECTION 771r. 146.60 (3) (c) 2 of the statutes is amended to read:

146.60 (3) (c) 2. If the department of agriculture, and trade and consumer protection receives information under this subsection or sub. (4) (c), it shall provide the department of natural resources with a copy of the information.

SECTION 771w. 146.60 (5) of the statutes is amended to read:

146.60 (5) MEMORANDUM OF UNDERSTANDING. Within 6 months after June 13, 1989, the department of natural resources shall enter into a memorandum of understanding with the department of agriculture, and trade and consumer protection setting forth the procedures and responsibilities of the departments in the administration of this section. The memorandum shall establish procedures that minimize the duplication of effort between the departments and for the person providing information under sub. (3).

Vetoed
in Part

SECTION 771x. 146.70 (3) (b) 8 of the statutes is renumbered 146.70 (3) (b) 8. (intro) and amended to read:

146.70 (3) (b) 8. (intro.) The sum of the charges under subd. 3. a. and b. does not exceed 25 any of the following:

a. Twenty-five 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.

b. Subject to par. (dm), \$1 each month for each exchange access line or its equivalent in any other county or combination of counties if the county has a population of less than 500,000 and the county is recovering charges under subd. 3. a.

SECTION 771y. 146.70 (3) (b) 8. c. of the statutes is created to read:

146.70 (3) (b) 8. c. Forty cents each month for each exchange access line or its equivalent if the county has a population of less than 500,000 and the county is not recovering charges under subd. 3. a.

SECTION 771ym. 146.70 (3) (dm) of the statutes is created to read:

146.70 (3) (dm) A county may not require service users in an exchange for which a city, town or village previously established a basic system or sophisticated system to be billed for the nonrecurring costs of a system established by the county. This paragraph does not prohibit a county from requiring such service users to be billed for the nonrecurring costs of a county system upgrade.

SECTION 772. 146.81 (2) (b) and (c) of the statutes are created to read:

146.81 (2) (b) The type of information to be disclosed.

(c) The types of health care providers making the disclosure.

SECTION 772g. 146.81 (4) of the statutes, as affected by 1991 Wisconsin Act 39, 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, including the records required under s. 146.82 (2) (d) and (3) (c), but not those records subject to s. 51.30, reports collected under s. 69.186, records of tests administered under s. ~~146.025 (2) (a) s. 343.305 or 968.38 (4)~~, fetal monitor tracings, as defined under s. 146.817 (1), or a pupil's physical health records maintained by a school under s. 118.125.

Vetoed
in Part

SECTION 772gg. 146.819 of the statutes is created to read:

146.819 Preservation or destruction of patient health care records. (1) Except as provided in sub. (4), any health care provider who ceases practice or business as a health care provider or the personal representative of a deceased health care provider who was an independent practitioner shall do one of the following for all patient health care records in the possession of the health care provider when the health care provider ceased business or practice or died:

(a) Provide for the maintenance of the patient health care records by a person who states, in writing, that the records will be maintained in compliance with ss. 146.81 to 146.835.

(b) Provide for the deletion or destruction of the patient health care records.

(c) Provide for the maintenance of some of the patient health care records, as specified in par. (a), and for the deletion or destruction of some of the records, as specified in par. (b).

(2) If the health care provider or personal representative provides for the maintenance of any of the patient health care records under sub. (1), the health care provider or personal representative shall also do at least one of the following:

(a) Provide written notice, by 1st class mail, to each patient or person authorized by the patient whose records will be maintained, at the last-known address of the patient or person, describing where and by whom the records shall be maintained.

(b) Publish, under ch. 985, a class 3 notice in a newspaper that is published in the county in which the health care provider's or decedent's health care practice was located, specifying where and by whom the patient health care records shall be maintained.

(3) If the health care provider or personal representative provides for the deletion or destruction of any of the patient health care records under sub. (1), the health care provider or personal representative shall also do at least one of the following:

(a) Provide notice to each patient or person authorized by the patient whose records will be deleted or destroyed, that the records pertaining to the patient will be deleted or destroyed. The notice shall be provided at least 35 days prior to deleting or destroying the records, shall be in writing and shall be sent, by 1st class mail, to the last-known address of the patient to whom the records pertain or the last-known address of the person authorized by the patient. The notice shall inform the patient or person authorized by the patient of the date on which the records will be deleted or destroyed, unless the patient or person retrieves them before that date, and the location where, and the dates and times when, the records may be retrieved by the patient or person.

(b) Publish, under ch. 985, a class 3 notice in a newspaper that is published in the county in which the health care provider's or decedent's health care practice was located, specifying the date on which the records will be deleted or destroyed, unless the patient or person authorized by the patient retrieves them before that date, and the location where, and the dates and times when, the records may be retrieved by the patient or person.

(4) This section does not apply to a health care provider that is any of the following:

(a) A community-based residential facility or nursing home licensed under s. 50.03.

(b) A hospital approved under s. 50.35.

(c) A hospice licensed under s. 50.92.

(d) A home health agency licensed under s. 141.15 (4).

(e) A tuberculosis sanatorium approved under s. 149.03.

(f) A public health agency, as defined in s. 140.03 (1) (c), that ceases practice or business and transfers the patient health care records in its possession to a successor public health agency.

SECTION 772h. 146.88 (3) (i) of the statutes is repealed.

SECTION 772i. 146.88 (4) (a) of the statutes is amended to read:

146.88 (4) (a) Except as provided in pars. (b) and (c), if an individual satisfies sub. (3), the department shall pay the full amount of each premium payment for continuation coverage that is due from the individual under s. 632.897 (2) (d), 29 USC 1162 (3) or 42 USC 300bb-2 (3), whichever is applicable, on or after the date on which the individual becomes eligible for a subsidy under sub. (3). The department may not refuse to pay the full amount of each premium payment because the continuation coverage that is available to the individual who satisfies sub. (3) includes coverage of the individual's spouse and dependents. Except as provided in par. (b), the department shall terminate the payments under this section when the individual's continuation coverage ceases, when the individual no longer satisfies sub. (3) or upon the expiration of ~~48~~ 29 months after the continuation coverage

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began, whichever occurs first. The department may not make payments under this section for premiums for a conversion policy or plan that is available to an individual under s. 632.897 (4) or (6), 29 USC 1162 (5) or 42 USC 300bb-2 (5).

SECTION 772j. 146.882 of the statutes is created to read:

146.882 Medical leave premium subsidies. (1) DEFINITIONS. In this section:

(a) "Group health plan" has the meaning given in s. 146.88 (1) (b).

(b) "HIV" has the meaning given in s. 146.88 (1) (c).

(c) "HIV infection" has the meaning given in s. 146.88 (1) (d).

(d) "Medical leave" means medical leave under s. 103.10.

(e) "Residence" has the meaning given in s. 146.88 (1) (e).

(2) SUBSIDY PROGRAM. The department shall establish and administer a program to subsidize, from the appropriation under s. 20.435 (1) (ak), the premium costs for coverage under a group health plan that are paid by an individual who has HIV infection and who is on unpaid medical leave from his or her employment because of an illness or medical condition arising from or related to HIV infection.

(3) ELIGIBILITY. An individual is eligible to receive a subsidy in an amount determined under sub. (4), if the department determines that the individual meets all of the following criteria:

(a) Has residence in this state.

(b) Has a family income, as defined by rule under sub. (6), that does not exceed 200% of the federal poverty line, as defined under 42 USC 9902 (2), for a family the size of the individual's family.

(c) Has submitted to the department a certification from a physician, as defined in s. 448.01 (5), of all of the following:

1. That the individual has an infection that is an HIV infection.

2. That the individual is on unpaid medical leave from his or her employment because of an illness or medical condition arising from or related to the individual's HIV infection or because of medical treatment or supervision for such an illness or medical condition.

(d) Is covered under a group health plan through his or her employment and pays part or all of the premium for that coverage, including any premium for coverage of the individual's spouse and dependents.

(e) Authorizes the department, in writing, to do all of the following:

1. Contact the individual's employer or the administrator of the group health plan under which the individual is covered, to verify the individual's medical leave, group health plan coverage and the premium and any other conditions of coverage, to make pre-

mium payments as provided in sub. (4) and for other purposes related to the administration of this section.

2. Make any necessary disclosure to the individual's employer or the administrator of the group health plan under which the individual is covered regarding the individual's HIV status.

(f) Is not covered by a group health plan other than any of the following:

1. The group health plan under par. (d).

2. A group health plan that offers a substantial reduction in covered health care services from the group health plan under subd. 1.

(g) Is not covered by an individual health insurance policy other than an individual health insurance policy that offers a substantial reduction in covered health care services from the group health plan under par. (d).

(h) Is not eligible for medicare under 42 USC 1395 to 1395zz.

(i) Does not have escrowed under s. 103.10 (9) (c) an amount sufficient to pay the individual's required contribution to his or her premium payments.

(4) AMOUNT AND PERIOD OF SUBSIDY. (a) Except as provided in pars. (b) and (c), if an individual satisfies sub. (3), the department shall pay the amount of each premium payment for coverage under the group health plan under sub. (3) (d) that is due from the individual on or after the date on which the individual becomes eligible for a subsidy under sub. (3). The department may not refuse to pay the full amount of the individual's contribution to each premium payment because the coverage that is provided to the individual who satisfies sub. (3) includes coverage of the individual's spouse and dependents. Except as provided in par. (b), the department shall terminate the payments under this section when the individual's unpaid medical leave ends, when the individual no longer satisfies sub. (3) or upon the expiration of 29 months after the unpaid medical leave began, whichever occurs first.

(b) The obligation of the department to make payments under this section is subject to the availability of funds in the appropriation under s. 20.435 (1) (ak).

(c) If an individual who satisfies sub. (3) has an amount escrowed under s. 103.10 (9) (c) that is insufficient to pay the individual's required contribution to his or her premium payments, the amount paid under par. (a) may not exceed the individual's required contribution for the duration of the payments under this section as determined under par. (a) minus the amount escrowed.

(5) APPLICATION PROCESS. The department may establish, by rule, a procedure under which an individual who does not satisfy sub. (3) (b) or (c) 2 may submit to the department an application for a premium subsidy under this section that the department shall hold until the individual satisfies each requirement of sub. (3), if the department determines that the procedure will assist the department to make premium pay-

ments in a timely manner once the individual satisfies each requirement of sub. (3). If an application is submitted by an individual under a procedure established by rule under this subsection, the department may not contact the individual's employer or the administrator of the group health plan under which the individual is covered, unless the individual authorizes the department, in writing, to make that contact and to make any necessary disclosure to the individual's employer or the administrator of the group health plan under which the individual is covered regarding the individual's HIV status.

(6) RULES. The department shall promulgate rules that do all of the following:

(a) Define family income for purposes of sub. (3) (b).

(b) Establish a procedure for making payments under this section that ensures that the payments are actually used to pay premiums for group health plan coverage available to individuals who satisfy sub. (3).

SECTION 772L. 146.89 (1) of the statutes is amended to read:

146.89 (1) In this section, except in sub. (5), "volunteer health care provider" means an individual who is licensed as a nurse or nurse-midwife under ch. 441; licensed as a chiropractor under ch. 446; licensed as a dentist under ch. 447; licensed as a physician, podiatrist or physical therapist or certified as an occupational therapist, occupational therapy assistant or respiratory care practitioner under ch. 448; dentist under ch. 447; registered nurse under ch. 441 or licensed as an optometrist under ch. 449; certified as an acupuncturist under ch. 451; or licensed as a psychologist under ch. 455 and who receives no income from the practice of that health care profession.

Vetoed
in Part

Vetoed
in Part

~~SECTION 772m. 146.89 (1) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~146.89 (1) In this section, except in sub. (5), "volunteer health care provider" means an individual who is licensed as a nurse or nurse-midwife under ch. 441; licensed as a chiropractor under ch. 446; licensed as a dentist under ch. 447; licensed as a physician, podiatrist or physical therapist or certified as an occupational therapist, occupational therapy assistant or respiratory care practitioner under ch. 448; licensed as an optometrist under ch. 449; certified as an acupuncturist under ch. 451; licensed as a psychologist under ch. 455, or licensed as a speech language pathologist or audiologist under subch. II of ch. 459 and who receives no income from the practice of that health care profession.~~

SECTION 772n. 146.89 (3m) of the statutes is created to read:

146.89 (3m) In Milwaukee county, any volunteer health care provider whose joint application is approved under sub. (2) shall meet the following conditions:

(a) The volunteer health care provider shall provide services under par. (b) without charge in Milwaukee county at the nonprofit agency whose joint application with the volunteer health care provider is approved under sub. (2).

(b) The volunteer health care provider may, within the limitations of his or her licensed scope of practice, provide the health care services that are specified under sub. (3) (b) 1 to 7.

(c) The volunteer health care provider may not provide emergency medical services, hospitalization or surgery.

(d) The volunteer health care provider shall provide health care services primarily to low-income persons who are uninsured and who are not recipients of any of the programs specified in sub. (3) (d) 1 to 4.

SECTION 772s. 146.89 (5) of the statutes is created to read:

146.89 (5) (a) In this subsection, "volunteer health care provider" means an individual who is licensed as a physician under ch. 448 or licensed as a registered nurse or a licensed practical nurse under ch. 441 and who receives no income from the practice of that profession when practicing at the clinic specified in par. (b).

(b) Volunteer health care providers who provide uncompensated health care services at the medical clinic that is operated by the Salvation Army in Outagamie county in this state are, for the provision of those services, state agents of the department of health and social services for purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

SECTION 773. 146.99 of the statutes is amended to read:

146.99 Assessments. The department shall, within 90 days after the commencement of each fiscal year, estimate the total amount of expenditures and the department shall assess the estimated total amounts under s. 20.435 (1) (gp) and (gq) 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 appropriations appropriation under s. 20.435 (1) (gp) and (gq).

SECTION 774. 153.05 (6m) of the statutes is created to read:

153.05 (6m) If the requirements of s. 153.07 (2) are first met, the office may contract with the group insurance board for the provision of data collection and analysis services related to health maintenance organizations and insurance companies that provide health insurance for state employees or the department shall provide the services under s. 153.07 (2). The office shall establish contract fees for the provision of the services. All moneys collected under this subsection shall be credited to the appropriation under s. 20.435 (1) (kx).

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SECTION 775. 153.07 (2) of the statutes is amended to read:

153.07 (2) The board, upon advice of the office, shall first determine whether to contract for services pursuant to s. 153.05 (6) or (6m). If the board determines to contract for such services, it shall approve specifications for a contract including the length of the contract and the standards for determining potential contractor conflicts with the purposes of the office as specified under s. 153.05 (1). In the alternative, the board may direct the office to have the department provide the services under s. 153.05 (6) or (6m). The board may subsequently determine to contract for these services in subsequent years. If the board decides to bid the contract for services under s. 153.05 (6) or (6m), the department may offer a bid as would any other potential contractor. The board shall evaluate a contractor's performance 6 months prior to the close of each existing contract.

SECTION 775c. 155.20 (2) (a) 2 of the statutes is amended to read:

155.20 (2) (a) 2. An intermediate care facility for the mentally retarded, as defined in s. 46.278 (1m) ~~(a)~~ (am).

SECTION 775gd. 157.061 (6) of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775ge. 157.062 (1) and (2) of the statutes, as affected by 1989 Wisconsin Act 307, are amended to read:

157.062 Cemetery associations; creation; powers and duties. (1) ORGANIZATION. Seven or more residents of the same county may form a cemetery association. They shall meet, select a chairperson and secretary, choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor more than 9 trustees whom the chairperson and secretary shall immediately divide by lot into 3 classes, who shall hold their offices for 1, 2 and 3 years, respectively. Within 3 days, the chairperson and secretary shall certify the corporate name, the names, home addresses and business addresses of the organizers and of the trustees, and their classification, and the annual meeting date acknowledged by them, and, except as provided in sub. (9), deliver the certification to the secretary of state. The association then has the powers of a corporation.

(2) AMENDMENTS. The association may change its name, the number of trustees or the annual meeting date by resolution at an annual meeting, or special meeting called for such purpose, by a majority vote of the members present, and, except as provided in sub. (9), by delivering to the secretary of state a copy of the resolution, with the date of adoption, certified by the president and secretary or corresponding officers.

SECTION 775gf. 157.062 (6) (b) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

157.062 (6) (b) If an association that has been dissolved under par. (a), or any group that was never

properly organized as a cemetery association, has cemetery grounds and human remains are buried in the cemetery grounds, 5 or more members, or persons interested as determined by order of the circuit judge under par. (c), may publish a class 3 notice, under ch. 985, in the municipality in which the cemetery is located, of the time, place and object of the meeting, assemble and reorganize by the election of trustees and divide them into classes as provided in sub. (1), the commencement of the terms to be computed from the next annual meeting date. The secretary shall enter the proceedings of the meeting on the records. The association is reorganized upon delivery of a copy of the proceedings to the secretary of state, except as provided in sub. (9). Upon reorganization, the title to the cemetery grounds, trust funds and all other property of the association or group vests in the reorganized association, under the control of the trustees. The reorganized association may continue the name of the dissolved association or may adopt a new name.

SECTION 775gg. 157.062 (9) of the statutes is created to read:

157.062 (9) EXEMPTIONS FOR CERTAIN NONPROFIT CEMETERIES. In lieu of delivering a certification, resolution or copy of proceedings to the secretary of state under sub. (1), (2) or (6) (b), a cemetery association that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit shall deliver the certification, resolution or copy of proceedings to the office of the register of deeds of the county in which the cemetery is located.

SECTION 775gh. 157.08 (1) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

157.08 (1) After the plat or map is recorded under s. 157.07 ~~and, if the land is dedicated on or after November 1, 1991, the cemetery authority receives a written determination under s. 157.13 (1) (a) that the land qualifies as an endowment care cemetery~~, the cemetery authority may sell and convey cemetery lots. Conveyances shall be signed by the chief officer of the cemetery authority, and by the secretary or clerk of the cemetery authority, if any. Before delivering the conveyance to the grantee, the cemetery authority shall enter on records kept for that purpose, the date and consideration and the name and residence of the grantee. The conveyances may be recorded with the register of deeds.

SECTION 775gp. 157.08 (2) (d) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9g) (c) and amended to read:

157.11 (9g) (c) ~~Any~~ Except as provided in sub. (11), any cemetery authority that sells a cemetery lot on or after November 1, 1991, shall deposit 15% of each payment of principal into a care fund under par. (a) within 30 days after the last day of the month in which the payment is received, ~~except as provided in ss. 157.11 sub. (7) (d) and s. 157.115 (2) (f)~~. The total amount deposited must equal 15% of the total

amount of all payments of principal that have been received, but not less than \$25.

SECTION 775gt. 157.08 (5) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.08 (5) Subsections (1) and (2) (b) do not apply, ~~but subs. (2) (a), (c) and (d) and (3) do apply,~~ to a religious society organized under ch. 187, and sub. (2) (b) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775h. 157.09 of the statutes, as affected by 1989 Wisconsin Act 307, is repealed.

SECTION 775ic. 157.11 (title) of the statutes is amended to read:

157.11 (title) Improvement and care of cemetery lots and grounds.

SECTION 775ie. 157.11 (9) (b) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9g) (a) 1. (intro.) and amended to read:

157.11 (9g) (a) 1. (intro.) Except as provided in s. ss. 66.04 (2) (c), care funds and 157.19 (5) (b), funds that are received by a cemetery authority for the care of a cemetery lot shall be invested in one or more of the following manners:

a. Deposited and invested as provided in s. 157.19, ~~or the funds may be deposited.~~

b. Deposited with the treasurer of the county or city in which the cemetery is located, and if the governing body of the county or city may determine to accept accepts such deposits. ~~In the case of all funds~~

2. The manner in which the care funds are invested may not permit the cemetery authority to withdraw the care fund's principal amount. The income from the investment of a care fund for the care of cemetery lots may be used only to maintain the cemetery lots and grounds, except that if the amount of income exceeds the amount necessary to maintain the cemetery lots or grounds properly, the excess amount may be used to maintain any other portion of the cemetery, including mausoleums. If the care funds are deposited with a city or county, or previously deposited with a village, there shall be paid to the cemetery authority annually interest on funds so deposited of not less than 2% per year. The governing body of any city or county, or any village or town in the case of previous deposits, may determine to return all or a part of any funds deposited by a cemetery authority, and that cemetery authority shall accept the returned funds within 30 days after receiving written notice of that action. If the cemetery authority is dissolved or becomes inoperative, the county or city shall use the interest on the funds for the care and upkeep of the cemetery. Deposit shall be made and the income paid over from time to time, not less frequently than once each year, and receipts in triplicate shall be given, one filed with the county clerk, one with the cemetery authority and one given to the person making the deposit. Deposits shall be in the amount of \$5 or a

multiple thereof. Records and receipts shall specify the cemetery lot for the care of which the deposit is made. Reports of money received for care and of money and property received as gifts shall be made annually as provided in s. 157.62 (2). ~~All funds received by a cemetery authority for care and now held by the treasurer or trustees of the cemetery authority may be transferred to the county or city treasurer.~~

SECTION 775ig. 157.11 (9) (e) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9g) (b) and amended to read:

157.11 (9g) (b) Anyone having in custody or control any cemetery care trust fund received other than by testament shall, upon demand, deliver it to the cemetery authority to be handled as provided in this ~~section~~ subsection.

SECTION 775ik. 157.11 (9) (f) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.11 (9m).

SECTION 775im. 157.11 (9) (g) of the statutes is renumbered 157.11 (9r) and amended to read:

157.11 (9r) (title) **TAX AND OTHER EXEMPTIONS.** Gifts and trusts ~~hereunder~~ under this section shall be exempt from taxation and the law against perpetuities, accumulations and mortmain.

SECTION 775ip. 157.11 (9g) (title) of the statutes is created to read:

157.11 (9g) (title) **CARE FUND FOR CEMETERY LOTS.**

SECTION 775ir. 157.11 (9g) (a) 1. c. of the statutes is created to read:

157.11 (9g) (a) 1. c. If not invested as provided in subd. 1. a. or b., otherwise deposited by the cemetery authority in an investment approved by the department if the care funds are segregated and invested separately from all other moneys held by the cemetery authority.

SECTION 775is. 157.11 (9m) (title) of the statutes is created to read:

157.11 (9m) (title) **ACTION BY DISTRICT ATTORNEY.**

SECTION 775it. 157.11 (10) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.11 (10) **EXEMPTION FOR RELIGIOUS SOCIETIES.** ~~This section does not apply~~ Subsections (1) to (9), (9g) (a) and (b), (9m) and (9r) do not apply, but sub. (9g) (c) does apply, to a religious society organized under ch. 187.

SECTION 775iv. 157.11 (11) of the statutes is created to read:

157.11 (11) **EXEMPTION FOR CERTAIN NONPROFIT CEMETERIES.** Subsection (9g) does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775iw. 157.12 (2) (c) of the statutes, as affected by 1989 Wisconsin Act 307, is renumbered 157.12 (2) (c) 1 and amended to read:

157.12 (2) (c) 1. ~~No~~ Except as provided in subd. 2, no person may establish or use a public mausoleum unless the mausoleum is located inside a cemetery of 20 acres or more that has been in existence for 10 years or more.

SECTION 775ix. 157.12 (2) (c) 2 of the statutes is created to read:

157.12 (2) (c) 2. A person may establish or use a public mausoleum in a cemetery consisting of less than 20 acres in a municipality that has enacted an ordinance under s. 66.057 (2) if the cemetery meets the minimum acreage requirement specified in that ordinance.

SECTION 775j. 157.12 (3) (title) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

157.12 (3) (title) CARE FUND FOR MAUSOLEUMS.

SECTION 775kd. 157.128 (title) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.128 (title) Minimum acreage requirement for cemetery established on or after November 1, 1991.

SECTION 775kh. 157.128 (1) (a) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.128 (1) and amended to read:

157.128 (1) Except as provided in ~~par. (b)~~ subs. (2) and (3), no cemetery may be dedicated on or after November 1, 1991, unless the cemetery consists of at least 20 contiguous acres.

SECTION 775kp. 157.128 (1) (b) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.128 (2).

SECTION 775kt. 157.128 (2) of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775kw. 157.128 (3) of the statutes is created to read:

157.128 (3) (a) A cemetery consisting of less than 20 contiguous acres may be dedicated in a municipality that has enacted an ordinance under s. 66.057 if the cemetery meets the minimum acreage requirement specified in that ordinance.

(b) A cemetery consisting of less than 20 contiguous acres may be dedicated by a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775L. 157.13 of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775m. 157.15 of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

SECTION 775pd. 157.19 (2) (a) of the statutes, as affected by 1991 Wisconsin Act 74, is amended to read:

157.19 (2) (a) Except as provided in sub. (5) and the rules promulgated under sub. (4), the cemetery authority shall may deposit care funds under ~~ss. s. 157.11 (9) (b), (9g), and shall deposit care funds under s. 157.12 (3) and 157.13~~ and preneed trust funds under

s. 440.92, with a financial institution located in this state. The financial institution shall be the trustee of the care funds and preneed trust funds. A bank need not comply with s. 221.04 (6) or ch. 223 to accept or disburse deposits under this section. The trustee shall invest the care funds and preneed trust funds as provided under s. 881.01, except as provided in sub. (5) and the rules promulgated under sub. (4).

SECTION 775ph. 157.19 (2) (b) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.19 (2) (b) The cemetery authority may not change the trustee of a care fund under s. 157.11 (9g) that is deposited under this section or of a care fund under s. 157.12 (3), and the financial institution may not release any portion of the principal amount of the care fund, without the department's written approval.

SECTION 775pp. 157.19 (5) of the statutes, as created by 1989 Wisconsin Act 307, is renumbered 157.19 (5) (a) and amended to read:

157.19 (5) (a) This section does not apply to care funds under s. 157.11 ~~(9) (b)~~ (9g) that are deposited with a city or county as provided under s. 157.11 ~~(9) (b)~~ (9g) (a), to care funds of a cemetery for which a certification under s. 157.63 is effective ~~or,~~ to preneed trust funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care funds or preneed trust funds of a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775pt. 157.19 (5) (b) of the statutes is created to read:

157.19 (5) (b) If the department determines that care funds under s. 157.11 (9g) that have not been deposited with a city or county as provided in s. 157.11 (9g) (a) are not being properly segregated from other moneys held by the cemetery authority or that those care funds are not being properly invested as required in s. 157.11 (9g) (a), the department may require the cemetery authority to deposit those care funds with a financial institution for investment under this section.

SECTION 775pw. 157.19 (6) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.19 (6) Nothing in this section prevents a cemetery authority from combining its care funds and preneed trust funds for investment purposes under this section if the cemetery authority maintains separate accountings for each fund.

SECTION 775py. 157.19 (7) of the statutes is created to read:

157.19 (7) Except as provided in sub. (5) (a), this section applies to every care fund and every preneed trust fund of a cemetery authority, regardless of when the care fund or preneed trust fund was established.

SECTION 775rd. 157.62 (1) (a) (intro.) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every cemetery association shall file

an annual report with the secretary of state. The report shall be made on a calendar-year basis unless the secretary of state, by rule, provides for other reporting periods. The report is due on the 60th day after the last day of the reporting period. The annual report shall include all of the following:

SECTION 775rg. 157.62 (2) (a) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (2) (a) Except as provided in ~~ss. 157.625 and 157.63 (1)~~, every cemetery authority shall file an annual report with the department. The report shall be made on a form prescribed and furnished by the department. The report shall be made on a calendar-year basis unless the department, by rule, provides for other reporting periods. The report is due on the 60th day after the last day of the reporting period.

SECTION 775rr. 157.62 (2) (b) 4 of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (2) (b) 4. An accounting of amounts deposited in, amounts withdrawn from, other income accruing to and the balance at the end of the reporting period of care funds of the cemetery, including the funds in ~~ss. 157.11 (9) (b) (9g) (a), 157.12 (3), and 157.125 and 157.13.~~

Vetoed in Part SECTION 775rv. 157.62 (2) (c), of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

~~157.62 (2) (c) All records relating to accountings of trust funds described under par. (b) 3 to 7 and maintained by the department are confidential and are not available for inspection or copying under s. 19.35 (1) (a).~~

SECTION 775rx. 157.62 (6) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.62 (6) AUDIT. Except as provided in ~~ss. 157.625, 157.63 (5) and 440.92 (9) (e)~~, the department may audit, at reasonable times and frequency, the records, trust funds and accounts of any cemetery authority, including records, trust funds and accounts pertaining to services provided by a cemetery authority which are not otherwise subject to the requirements under this chapter. The department may conduct audits under this subsection on a random basis, and shall conduct all audits under this subsection without providing prior notice to the cemetery authority.

SECTION 775s. 157.625 of the statutes is created to read:

157.625 Reporting exemption for certain cemeteries.

(1) A cemetery authority that is not required under this chapter or under s. 440.92 to maintain any care funds or preneed trust funds is not required to file an annual report under s. 157.62 (2).

(2) A cemetery authority whose annual operating budget for the cemetery is \$2,500 or less is not required to file an annual report under s. 157.62 (2).

(3) Section 157.62 does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

SECTION 775te. 157.63 (2) (b) and (3) of the statutes, as created by 1989 Wisconsin Act 307, are amended to read:

157.63 (2) (b) A notarized statement of a person who is legally authorized to act on behalf of the religious society under this section that, during the reporting period under s. 157.62, each cemetery and the cemetery authority of each cemetery specified under par. (a) have either fully complied or have substantially complied with ~~ss. 157.08 (2) (d), 157.11 (9g) and 157.12 (3) and 157.13 (1) (e) to (e) and (3) to (5).~~

(3) If the statement under sub. (2) (b) includes a statement of substantial compliance, the statement under sub. (2) (b) must also specify those instances when the cemetery or cemetery authority did not fully comply with ~~s. 157.08 (2) (d), 157.11 (9g) or 157.12 (3) or 157.13 (1) (e) to (e) or (3) to (5).~~

SECTION 775tm. 157.63 (4) and (6) of the statutes, as created by 1989 Wisconsin Act 307, are amended to read:

157.63 (4) A certification under this section is effective for the 12-month period immediately following the reporting period under s. 157.62 (2) for which the cemetery authority is certified under this section to have fully or substantially complied with ~~ss. 157.08 (2) (d), 157.11 (9g) and 157.12 (3) and 157.13 (1) (e) to (e) and (3) to (5).~~

(6) The religious society that is affiliated with a cemetery to which a certification under this section applies is liable for the damages of any person that result from the failure of the cemetery or cemetery authority to fully comply with ~~s. 157.08 (2) (d), 157.11 (9g) or 157.12 (3) or 157.13 (1) (e) to (e) or (3) to (5)~~ during the reporting period under s. 157.62 (2) for which such compliance has been certified under this section.

SECTION 775ts. 157.64 (2) (a) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

157.64 (2) (a) Violates s. 157.08 (2) (b) ~~or (d), 157.11 (9g) or 157.12 (2) (b), (c) or (d) or (4) (b), 157.13 (4) or 157.15.~~

~~SECTION 775ud. 157.70 (2) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~157.70 (2) (a) Under a special inspection warrant as required under s. 66.122, identify and record in a catalog burial sites in this state and, for burial sites which are not dedicated, sufficient contiguous land necessary to protect the burial site from disturbance, and notify in writing every owner of a burial site or of such land so recorded and any county or local historical society in the county where the burial site or the land is located. Any information in the catalog related to the location of any burial site, the disclosure of~~

Vetoed in Part

**Vetoed
in Part**

which would be likely to result in the disturbance of the burial site or the cataloged land contiguous to the burial site, is not subject to s. 19.35 (1) (a). The notice shall include information about the permit required under sub. (5) and the toll free number the owner may call for more information. In this paragraph, "sufficient contiguous land" means land that is within at least 5 feet from any part of a burial site.

SECTION 775uL. 157.70 (2) (b) of the statutes is amended to read:

157.70 (2) (b) Identify and record in a catalog burial sites likely to be of archaeological interest or areas likely to contain burial sites. Any information in the catalog related to the location of any burial site likely to be of archaeological interest or of any area likely to contain a burial site, the disclosure of which would be likely to result in the disturbance of the burial site or the cataloged land contiguous to a cataloged burial site, is not subject to s. 19.35 (1) (a).

SECTION 775up. 157.70 (2) (c) of the statutes is amended to read:

157.70 (2) (c) Establish a registry for any person whom the board determines to have an interest in a cataloged burial site or class of cataloged burial sites under sub. (2m) (b) or (c). The registry shall include the name of every person whom the board determines to have an interest in the preservation of a burial site or in providing for the reinterment of the human remains and objects related to burial in the burial site if the burial site is disturbed and identify the burial site in which the person is determined to have an interest. Any information in the registry related to the location of any burial site, the disclosure of which would be likely to result in disturbance of the burial site, is not subject to disclosure under s. 19.35 (1) (a).

SECTION 775nv. 157.70 (5) (c) 1 of the statutes is amended to read:

157.70 (5) (c) 1. Upon request of the applicant or any person notified under par. (b), or if the director determines that a hearing is necessary, the director shall request the division of hearings and appeals in the department of administration to conduct a hearing on whether a permit should be issued to disturb the burial site or the land which is the subject of the request. If in any part of the hearing the location of a burial site is the subject of the testimony, such part of the hearing shall be conducted in a session closed to the public and the record of such part of the hearing shall be exempt from disclosure under s. 19.35 (1) (a).

SECTION 775vd. 159.01 (2m) of the statutes is created to read:

159.01 (2m) "Land spreading facility" means a solid waste disposal facility in which solid waste is placed in thin layers onto the surface of the land or incorporated into the surface layers of the soil.

**Vetoed
in Part**

SECTION 775vL. 159.01 (6) of the statutes is amended to read:

159.01 (6) "Plastic container" means a plastic container, as defined in s. 400.23 130.26 (1) (c), that is required to be labeled under s. 400.23 130.26 (2).

**Vetoed
in Part**

SECTION 775vp. 159.07 (2) of the statutes is amended to read:

159.07 (2) YARD WASTE. Beginning on January 3, 1993, no person may dispose of yard waste in a solid waste disposal facility, except in a land spreading facility approved in accordance with ss. 144.43 to 144.47, or burn yard waste without energy recovery in a solid waste facility in this state.

SECTION 775vr. 159.11 (2s) (a) of the statutes is amended to read:

159.11 (2s) (a) The department shall notify the department of agriculture, trade and consumer protection justice whenever variances granted under sub. (2m) (b) for a plastic container, foam polystyrene packaging or any type of packaging that contains carbonated or malt beverages are in effect for responsible units representing 25% or more of the state's population.

**Vetoed
in Part**

SECTION 775vt. 159.11 (2s) (b) of the statutes is amended to read:

159.11 (2s) (b) The department shall notify the department of agriculture, trade and consumer protection justice if, within 2 years after providing notification under par. (a) for a packaging material, the condition under par. (a) no longer exists for that packaging material.

SECTION 775vw. 159.22 (2) (c) of the statutes is amended to read:

159.22 (2) (c) Advise state agencies concerning the promulgation of rules under ss. 100.29, 100.295, 101.126, 130.23, 130.24, 560.12, 560.65 and 560.835 and the establishment of priorities under s. 159.03 (1) (b).

SECTION 775vy. 159.33 of the statutes is created to read:

159.33 Interstate Agreement on Product and Package Labeling. (1) INTERSTATE AGREEMENT AUTHORIZED. The department may, on behalf of this state, enter into an agreement with agencies of any other state to create a program on product and package labeling that establishes a uniform interstate procedure, based on the voluntary cooperation of manufacturers, distributors and retailers of durable and nondurable products and the packaging associated with those products, to label a product or package with a readily identifiable symbol. This symbol shall be designed to help consumers identify products and packages the manufacture, use or disposal of which minimizes the environmental harm that the products and packages may cause and thus are environmentally preferred products and packages.

**Vetoed
in Part**

(2) PROVISIONS. The department may enter into an agreement pursuant to sub. (1) if the agreement is consistent with sub. (1) and if it includes the following provisions:

Vetoed
in Part

~~(a) *Board of governors.* The program created by the agreement is governed by a board of governors consisting of one representative of each state that enters into the agreement.~~

~~(b) *Environmental review panel.* The board of governors shall create an environmental review panel composed of impartial experts in appropriate fields including medicine, environmental science, law and product retailing, distributing, manufacturing and packaging. The panel may not include elected governmental officials or governmental officials appointed by elected governmental officials.~~

~~(c) *Certification criteria.* The environmental review panel is responsible for developing criteria for identifying environmentally preferred products and packages by type of product or package and recommending the criteria to the board of governors for the board's approval. The panel shall provide opportunities for public informational hearings on proposed criteria. The panel shall base the criteria on an environmental assessment of the air, water and land pollution that may be caused and the energy that may be consumed during the production, transportation, use and disposal of the product or package.~~

~~(d) *Certification.* Any manufacturer, distributor or retailer may submit a product or package to the board of governors for certification of compliance with the environmentally preferred criteria for that type of product or package. The board may charge a fee for the review of the product or package.~~

~~(e) *Logo.* The board of governors shall establish a symbol which the board may authorize a manufacturer, distributor or retailer who receives certification of a product or package as being environmentally preferred to place on the product or package and use in the representation of the product or package under conditions and for a term specified by the board.~~

~~(f) *Contracts.* The board of governors may contract with private organizations or public agencies to assist in the implementation of the agreement, including the development of certification criteria and the certification of specific products or packages.~~

~~(g) *Funding.* The product labeling program is funded from fees paid by manufacturers, distributors and retailers for certification of their products and packages and for authorization to use the environmentally preferred symbol.~~

~~(h) *Delayed implementation pending adequate cooperation.* The board of governors may not certify a product or package under the program until the agreement has been entered into by states that represent at least 25% of the population of the United States.~~

~~(3) WISCONSIN REPRESENTATIVE. The secretary of natural resources, or his or her designee, shall be the Wisconsin representative on the board of governors created under the agreement described in sub. (2).~~

Vetoed
in Part

~~SECTION 775w. 160.01 (7) of the statutes is amended to read:~~

~~160.01 (7) "Regulatory agency" means the department of agriculture, and trade and consumer protection, the department of industry, labor and human relations, the department of transportation, the department of natural resources and other state agencies which regulate activities, facilities or practices which are related to substances which have been detected in or have a reasonable probability of entering the groundwater resources of the state.~~

Vetoed
in Part

~~SECTION 779p. Chapter 163 (title) of the statutes is renumbered chapter 563 (title).~~

~~SECTION 779q. Subchapter I (title) of chapter 163 of the statutes is renumbered subchapter I (title) of chapter 563.~~

~~SECTION 779r. 163.02 of the statutes is renumbered 563.02.~~

~~SECTION 779s. 163.03 (intro.) and (1) to (3) of the statutes are renumbered 563.03 (intro.) and (1) to (3).~~

~~SECTION 779t. 163.03 (4) of the statutes is repealed.~~

~~SECTION 779u. 163.03 (4e) to (4s) of the statutes are renumbered 563.03 (4e) to (4s).~~

~~SECTION 779v. 163.03 (5) of the statutes is repealed.~~

~~SECTION 779w. 163.03 (6) to (16) of the statutes are renumbered 563.03 (6) to (16).~~

~~SECTION 779x. Subchapter II (title) of chapter 163 of the statutes is renumbered subchapter II (title) of chapter 563 and amended to read:~~

~~CHAPTER 563~~

~~SUBCHAPTER II~~

~~**BINGO CONTROL BOARD DUTIES AND POWERS OF COMMISSION**~~

~~(to precede s. 563.04)~~

~~SECTION 780d. 163.04 (intro.) of the statutes is renumbered 563.04 (intro.) and amended to read:~~

~~**563.04 (title) General duties of the commission.** (intro.) The ~~board~~ commission shall:~~

~~SECTION 780h. 163.04 (1) of the statutes is repealed.~~

~~SECTION 780p. 163.04 (2) to (5) of the statutes are renumbered 563.04 (2) to (5).~~

~~SECTION 780t. 163.05 (title) and (1) (intro.) of the statutes are repealed.~~

~~SECTION 781c. 163.05 (1) (a) to (c) of the statutes are renumbered 563.04 (6) to (8).~~

~~SECTION 781f. 163.05 (1) (d) of the statutes is repealed.~~

~~SECTION 781k. 163.05 (1) (e) and (f) of the statutes are renumbered 563.04 (10) and (11).~~

~~SECTION 781m. 163.05 (1) (g) of the statutes is repealed.~~

~~SECTION 781p. 163.05 (1) (h) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 563.04 (13).~~

~~SECTION 782ad. 163.05 (2) of the statutes is renumbered 563.05 (2) and amended to read:~~

563.05 (2) The ~~department~~ commission may promulgate rules requiring holders of licenses issued under this chapter to post a notice in a conspicuous place where a bingo occasion or raffle drawing is conducted describing the procedures for filing a complaint against the holder.

SECTION 782ah. 163.05 (3) of the statutes, as created by 1991 Wisconsin Act 39, is renumbered 563.05 (3) and amended to read:

563.05 (3) The ~~department~~ commission may promulgate rules specifying the number of business days within which the ~~board~~ commission must review and make a determination on an application for a permit, as defined in s. 560.41 (2), that is issued under this chapter.

SECTION 782ap. 163.055 of the statutes is renumbered 563.055, and 563.055 (1), (2) (intro.), (3) and (5), as renumbered, are amended to read:

563.055 (1) If the holder of a license issued under this chapter pays a fee required under s. ~~463.13~~ 563.13 (4), ~~463.22~~ 563.22 (2) or ~~463.92~~ 563.92 (1) by check and the check is not paid by the bank upon which the check is drawn, the ~~department~~ commission may cancel the license on or after the 60th day after the ~~department~~ commission receives the notice from the bank, subject to sub. (2).

(2) (intro.) At least 20 days before canceling a license, the ~~department~~ commission shall mail a notice to the holder that informs the holder that the check was not paid by the bank and that the holder's license may be canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

(3) Nothing in sub. (1) or (2) prohibits the ~~department~~ commission from extending the date for cancellation to allow the holder additional time to comply with sub. (2) (a) and (b).

(5) The ~~department~~ commission may reinstate a license that has been canceled under this section only if the previous holder complies with sub. (2) (a) and (b) and pays a \$30 reinstatement fee.

SECTION 782at. 163.10 of the statutes is renumbered 563.10 and amended to read:

563.10 Rules governing commingling of receipts restricted. Notwithstanding ss. ~~463.04 (3)~~, 227.11 (2) and, 227.24 (1) (a) and ~~563.04 (3)~~, the ~~board~~ commission may not ~~adopt~~ promulgate any emergency rule relating to the commingling of bingo and raffle receipts unless it can clearly establish that commingling will occur without such rule and that the rule will effectively prevent commingling. The ~~board~~ commission shall set forth any such finding in its proposed rule. If upon review under s. 227.40, the court finds that the finding of fact upon which any emergency rule relating to such commingling is based is unsupported by clear and convincing evidence, the rule is invalid.

SECTION 782bd. Subchapter III (title) of chapter 163 of the statutes is renumbered subchapter III (title) of chapter 563.

SECTION 782bh. 163.11 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.11.

SECTION 782cd. 163.12 of the statutes is renumbered 563.12, and 563.12 (intro.) and (2), as renumbered, are amended to read:

563.12 Bingo license application. (intro.) Each applicant for a license to conduct bingo shall file with the ~~department~~ commission an application on a form prescribed by the ~~department~~ commission. Except as provided in s. ~~463.135~~ 563.135, the application shall include:

(2) Sufficient facts relating to the incorporation or organization of the applicant to enable the ~~board~~ commission to determine if the applicant is eligible for a license under this subchapter.

SECTION 782ch. 163.13 of the statutes is renumbered 563.13, and 563.13 (intro.) and (2), as renumbered, are amended to read:

563.13 Affidavits and fees. (intro.) Except as provided in s. ~~463.135~~ 563.135, an application for a license to conduct bingo shall be accompanied by:

(2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no commission, or other fee, salary, profits, compensation, reward or recompense will be paid to any person or organization and that all profits will be spent as provided under s. ~~463.51~~ 563.51 (8).

SECTION 782cp. 163.135 of the statutes is renumbered 563.135, and 563.135 (intro.), as renumbered, is amended to read:

563.135 Bingo license application; community-based residential facilities, senior citizen community centers and adult family homes. (intro.) An application for a license to conduct bingo for an organization listed under s. ~~463.11~~ 563.11 (1) (b) to (d) shall be accompanied by a \$5 license fee and a sworn statement by the owner or operator of the organization that:

SECTION 782ct. 163.14 of the statutes is renumbered 563.14, and 563.14 (intro.), (1) and (6), as renumbered, are amended to read:

563.14 (title) Commission determinations. (intro.) Upon receipt of an application for a license to conduct bingo, the ~~department~~ commission shall investigate the qualifications of the applicant and the merits of the application and before issuing a license shall determine that:

(1) The applicant is eligible to be licensed to conduct bingo under s. ~~463.11~~ 563.11.

(6) The profits from all bingo games conducted by the applicant organization are proposed to be used as provided under s. ~~463.51~~ 563.51 (8).

SECTION 782dd. 163.15 (title) of the statutes is renumbered 563.15 (title).

SECTION 782dh. 163.15 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.15 (1) and amended to read:

563.15 (1) After making the determinations under s. ~~463.14~~ 563.14, the department commission shall either notify the applicant organization in writing why a license is not being issued or issue a license to such applicant organization authorizing it to conduct bingo at the times and places set forth in the license. Except as provided in sub. (1m), a license issued under this subsection shall be effective for one year from the first day of the month of the first occasion listed on the license and may be renewed annually, except that an applicant organization may request that the license expire on the first day of any month within the one-year licensure period.

SECTION 782dp. 163.15 (1m) and (3) of the statutes are renumbered 563.15 (1m) and (3), and 563.15 (1m), as renumbered, is amended to read:

563.15 (1m) A license issued under sub. (1) to an organization listed under s. ~~463.11~~ 563.11 (1) (b) to (d) shall remain in effect unless it is canceled, suspended or revoked by the department commission or withdrawn by the organization.

SECTION 782dt. 163.16 of the statutes is renumbered 563.16 and amended to read:

563.16 Amendment of license to conduct bingo. Upon application by a licensed organization, a license may be amended, if the subject matter of the amendment properly and lawfully could have been included in the original license. An application for an amendment to a license shall be filed and processed in the same manner as an original application. An application for the amendment of a license shall be accompanied by a \$3 fee. If any application for amendment seeks approval of additional bingo occasions or designates a new member responsible for the proper utilization of gross receipts, the appropriate fee under s. ~~463.13~~ 563.13 (4) also shall be paid. If the department commission approves an application for an amendment to a license, a copy of the amendment shall be sent to the applicant who shall attach it to the original license.

SECTION 782ed. 163.17 of the statutes is renumbered 563.17 and amended to read:

563.17 Denial of application; hearing. If the department commission denies a license to conduct bingo, within 30 days after receiving written notification of such denial, an applicant may demand in writing a hearing before the board commission upon the applicant's qualifications and the merit of the application. At the hearing, the burden of proof shall be on the applicant to establish his or her eligibility for a license. If, after the hearing, the board commission enters an order denying the application, the order shall set forth in detail the reasons for the denial. Upon entry of such an order or upon the expiration of the 30-day period during which a hearing may be demanded, the applicant's license fee shall be refunded less reason-

able administrative costs. If the board commission approves the application, the department commission shall issue the license within 14 days after approval.

SECTION 782eh. 163.18 of the statutes is renumbered 563.18, and 563.18 (1) to (4), as renumbered, are amended to read:

563.18 (1) Proceedings to suspend or revoke a supplier's license or a license to conduct bingo shall be initiated by the board commission pursuant to the rules promulgated under s. ~~440.03(4)~~ 563.05 (4).

(3) The board's commission's decision under this section ~~shall be~~ is subject to judicial review under ch. 227.

(4) When a license under this subchapter is suspended or revoked by the board commission, the licensee shall immediately surrender the license to the board commission. A licensee whose license has been revoked may reapply for a license one year after the effective date of the revocation. If a license has been suspended under sub. (3), the department commission shall reinstate the license at the end of the period of suspension.

SECTION 782ep. 163.21 of the statutes is renumbered 563.21 and amended to read:

563.21 Supplier's license. Any person intending to sell or distribute bingo supplies or equipment to a licensed organization shall apply to the department commission for a supplier's license.

SECTION 782et. 163.22 of the statutes is renumbered 563.22, and 563.22 (1) (intro.) and (g), as renumbered, are amended to read:

563.22 (1) (intro.) An application for a supplier's license shall be filed with the department commission on a form prescribed by the department commission. The application shall include:

(g) If the applicant business is organized outside of this state, the name and address of a resident agent who is authorized to be served legal documents and receive notices, orders and directives of the department or of the board commission.

SECTION 782fd. 163.24 of the statutes is renumbered 563.24 and amended to read:

563.24 Issuance of supplier's license. Upon receiving an application for a supplier's license, the department commission may require the applicant, or if the applicant is a corporation or partnership, its officers, directors and stockholders, to appear and testify under oath on the contents of the application. If the department commission determines that the supplier's license applicant possesses the requisite qualifications, a license shall be issued to the bingo supplier. A license issued under this section shall be effective for one year from the first day of the month of its issuance, and may be renewed annually. If the application is not approved, the department shall notify the applicant in writing of such action. Within 10 days after receipt of such notification, the applicant may demand a hearing before the board commission. At the hearing, the burden of proof shall be on the appli-

cant to establish his or her qualifications and the merit of the application. The fee, less reasonable administrative costs, shall be refunded to the applicant upon entry of an order denying an application after hearing, or upon expiration of the period during which a hearing may be demanded.

SECTION 782fh. 163.25 of the statutes is renumbered 563.25 and amended to read:

563.25 (title) Supplier to notify commission of changes. During the pendency of an application for a supplier's license, the applicant shall immediately notify the department commission in writing of any change in the facts set forth in the application, including any change in any item in the application, in the organization, structure or mode of operation of the supplier's business and in the identity of persons named or required to be named in the application or the nature or extent of their interests. Within 10 days after any such change which occurs after the issuance of the license, the change shall be reported to the department commission. Failure to notify the department commission of such change shall constitute sufficient cause for denial of a pending license application or for suspension or revocation of a license which has been granted.

SECTION 782fp. 163.26 of the statutes is renumbered 563.26 and amended to read:

563.26 Maintenance of supplier's books and records. Each licensed supplier shall maintain his or her books and records in such manner as to enable the board commission to determine the gross sales of bingo supplies and equipment to licensed organizations. Invoices for the sale of bingo supplies and equipment shall include the name and license number of the organization to which the supplies were sold, the date and amount of the sale and an enumeration of the items sold. Each licensed supplier and formerly licensed supplier shall maintain his or her books and records for not less than 4 years and shall make them available at reasonable times for examination by the board commission or its authorized representatives.

SECTION 782ft. 163.27 of the statutes is renumbered 563.27.

SECTION 782gd. 163.29 of the statutes is renumbered 563.29, and 563.29 (3), as renumbered, is amended to read:

563.29 (3) No licensed supplier shall sell or distribute to a licensed organization any card unless it is identified in the standard set of bingo cards prescribed by the board commission.

SECTION 782gh. Subchapter IV (title) of chapter 163 of the statutes is renumbered subchapter IV (title) of chapter 563.

SECTION 782gp. 163.51 of the statutes is renumbered 563.51, and 563.51 (1) and (26), as renumbered, are amended to read:

563.51 (1) WHO CONDUCTS. Only a person licensed under s. ~~463.15~~ 563.15 shall conduct bingo.

(26) LIMIT ON HOURS OF BINGO. No bingo game may commence before 7 a.m. or after 12 midnight, except as provided in s. ~~463.55~~ 563.55.

SECTION 782hd. 163.52 of the statutes is renumbered 563.52.

SECTION 782hh. 163.53 of the statutes is renumbered 563.53, and 563.53 (1), as renumbered, is amended to read:

563.53 (1) All special bingo cards shall be in a form approved by the board commission.

SECTION 782hp. 163.55 of the statutes is renumbered 563.55 and amended to read:

563.55 Local ordinances. Any political subdivision of this state may enact an ordinance that extends the hours during which bingo may be played under s. ~~463.54~~ 563.51 (26).

SECTION 782ht. Subchapter V (title) of chapter 163 of the statutes is renumbered subchapter V (title) of chapter 563.

SECTION 782id. 163.61 of the statutes is renumbered 563.61, and 563.61 (1) (intro.) and (3), as renumbered, are amended to read:

563.61 (1) (intro.) Each licensed organization shall file with the department commission, on a form prescribed by the department commission, a semiannual report of bingo operations for each 6-month period beginning on the date on which the organization's license is issued. The report is due on the 60th day after the last day of the reporting period. The report shall be accompanied by the payment of the gross receipts tax due. The licensed organization shall retain a copy of the report for its permanent records. The report shall include:

(3) If no bingo games are held on a date when a license authorizes them to be held, a report to that effect shall be filed with the board commission.

SECTION 782ih. 163.62 of the statutes is renumbered 563.62 and amended to read:

563.62 Reports improperly filed. The department commission may refuse to renew a license of an organization found to be delinquent in filing its financial statement or found to have filed an incomplete statement of bingo operations.

(2) If a licensed organization fails to file a financial statement of bingo operations within 5 days after notification by the department commission of the delinquency, the department commission may suspend the license, pending the filing of the financial statement.

(3) If the financial statement filed by a licensed organization is not fully, accurately and truthfully completed, the department commission may refuse to renew a license or may suspend a license until such time as a statement in proper form has been filed.

SECTION 782ip. 163.63 of the statutes is renumbered 563.63.

SECTION 782it. 163.64 of the statutes is renumbered 563.64, and 563.64 (2), as renumbered, is amended to read:

563.64 (2) The columnar book, deposit books, canceled checks, records of share drafts, check books, records of share accounts, records of negotiable orders of withdrawal, deposit slips, bank statements and copies of financial statements of bingo operations and all other books and accounts shall be maintained for not less than 4 years and shall be available at reasonable times for examination by the ~~board commission~~ or its authorized representative. The ~~department commission~~ may require the licensed organization to obtain microfilm copies of share drafts to the extent necessary for examination purposes. All documents supporting the entries made in the books of accounts shall be kept by the licensed organization for a period of not less than 4 years. Such documents shall include, but are not limited to, bank statements, canceled checks, records of share drafts, deposit slips and invoices for all expenditures.

SECTION 782jd. 163.65 of the statutes is renumbered 563.65 and amended to read:

563.65 Proper and legitimate expenditures; reimbursement and waiver. If a financial audit of a licensed organization shows that an expenditure of bingo funds was not a proper and legitimate expenditure and the ~~department commission~~ requests that the licensed organization reimburse the appropriate bingo account in an amount equal to the amount so expended, the licensed organization may appeal the request to the ~~board commission~~. The ~~board commission~~ may waive or reduce the amount of any such reimbursement if the licensed organization presents evidence satisfactory to the ~~board commission~~ that the licensed organization acted in good faith and by mistake or inadvertently in so expending the funds.

SECTION 782jh. 163.66 of the statutes is renumbered 563.66.

SECTION 782jk. 163.68 of the statutes is renumbered 563.68, and 563.68 (1) and (2), as renumbered, are amended to read:

563.68 (1) As provided under s. ~~463.51~~ 563.51 (8) within one year after the cessation of the conduct of bingo.

(2) In accordance with a plan of expenditure approved in advance by the ~~board commission~~.

SECTION 782jp. 163.69 of the statutes is renumbered 563.69 and amended to read:

563.69 Exemptions; community-based residential facilities, senior citizen community centers and adult family homes. This subchapter does not apply to an organization listed under s. ~~463.11~~ 563.11 (1) (b) to (d).

SECTION 782jt. Subchapter VI (title) of chapter 163 of the statutes is renumbered subchapter VI (title) of chapter 563.

SECTION 782kd. 163.71 of the statutes is renumbered 563.71.

SECTION 782kh. 163.72 of the statutes is renumbered 563.72 and amended to read:

563.72 Inspection for enforcement. Any peace officer or district attorney, within their respective jurisdictions, or an authorized employe of the ~~department commission~~, may, at all reasonable hours, enter the premises where a bingo occasion is being conducted and examine the books, papers and records of the licensed organization to determine if all proper taxes or fees imposed have been paid. Any refusal to permit such examination of the premises by the licensed organization, its agent or an employe or the person in charge of the premises to which the bingo license relates, constitutes sufficient grounds for the suspension or revocation of a license, and is punishable under s. ~~463.73~~ 563.73 (2). In addition, such refusal constitutes sufficient grounds for any peace officer or other persons authorized under this ~~subsection~~ section within their respective jurisdictions or authority to employ whatever reasonable action is necessary to conduct inspections permitted by this section.

SECTION 782kp. 163.73 of the statutes is renumbered 563.73, and 563.73 (1) and (4), as renumbered, are amended to read:

563.73 (1) Whoever violates s. ~~463.51~~ 563.51 (1), (8) to (10), (12), (15) or (26) may be fined not more than \$10,000 or imprisoned not more than 9 months or both.

(4) The department of justice, the ~~board commission~~ or the district attorney of a county of an actual or potential violation, after informing the department of justice, may commence an action in the circuit court in the name of the state to restrain any violation of any provision of this chapter. The court may, prior to entry of final judgment, make such an order or judgment as necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the violation, provided proof thereof is submitted to the court. The department of justice may subpoena persons, require the production of books and other documents and request the board to exercise its authority to aid in the investigation of alleged violations of this section.

SECTION 782kt. Subchapter VII (title) of chapter 163 of the statutes is renumbered subchapter VII (title) of chapter 563.

SECTION 782Ld. 163.80 of the statutes is renumbered 563.80.

SECTION 782Lh. Subchapter VIII (title) of chapter 163 of the statutes is renumbered subchapter VIII (title) of chapter 563.

SECTION 782Lp. 163.90 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.90 and amended to read:

563.90 Qualified organizations. Any local religious, charitable, service, fraternal or veterans organization or any organization to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which has been in existence for one year immediately preceding its appli-

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ation for a license or which is chartered by a state or national organization which has been in existence for at least 3 years, may conduct a raffle upon receiving a license for the raffle event from the board commission. No other person may conduct a raffle in this state.

SECTION 782Lt. 163.905 of the statutes is renumbered 563.905.

SECTION 782md. 163.91 of the statutes is renumbered 563.91 and amended to read:

563.91 Limit. No qualified organization under s. ~~163.90~~ 563.90 may conduct more than 200 raffles or more than one calendar raffle during a year.

SECTION 782mh. 163.92 (title) of the statutes is renumbered 563.92 (title).

SECTION 782mp. 163.92 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 563.92 (1) and amended to read:

563.92 (1) The fee for a raffle license shall be \$25 and shall be remitted with the application. [A raffle license shall be valid for 5 raffle events.] A raffle license shall be valid for 12 months and may be renewed as provided in s. ~~163.98~~ 563.98 (1g). The department commission shall issue the license within 30 days after the filing of an application if the applicant qualifies under s. ~~163.90~~ 563.90 and has not exceeded the limits of s. ~~163.91~~ 563.91.

SECTION 782mt. 163.92 (4) of the statutes is renumbered 563.92 (4) and amended to read:

563.92 (4) Proceedings to suspend or revoke a license to conduct raffles shall be initiated by the board commission pursuant to the rules promulgated under s. ~~440.03 (1)~~ 563.05 (4).

SECTION 782nd. 163.93 of the statutes is renumbered 563.93, and 563.93 (1) (a), as renumbered, is amended to read:

563.93 (1) (a) The number of the license issued by the board commission.

SECTION 782nh. 163.94 of the statutes is renumbered 563.94.

SECTION 782np. 163.95 of the statutes is renumbered 563.95 and amended to read:

563.95 Denial of application; hearing. Within 30 days after receiving written notification of a denial by the department commission of a license to conduct a raffle, an applicant may demand in writing a hearing before the board commission upon the applicant's qualifications and the merit of the application. At the hearing, the burden of proof shall be on the applicant to establish eligibility for a license. If, after the hearing, the board commission enters an order denying the application, the order shall set forth in detail the reasons for the denial. Upon entry of such an order or upon expiration of the 30-day period during which a hearing may be demanded, the applicant's license fee shall be refunded. If the board commission approves the application, the department commission shall issue the license within 14 days after approval.

SECTION 782nt. 163.97 of the statutes is renumbered 563.97 and amended to read:

563.97 Records. Each organization licensed to conduct raffles shall maintain a list of the names and addresses of all persons winning prizes with a retail value of \$100 or more, and the prizes won, for at least 12 months after each raffle is conducted. The list shall be available at reasonable times for public examination and shall be provided to the department commission upon request.

SECTION 782pd. 163.98 of the statutes is renumbered 563.98, and 563.98 (1) (intro.), (1c), (1m) and (2), as renumbered, are amended to read:

563.98 (1) (intro.) Each organization licensed under this subchapter shall, on or before the last day of the 12th month beginning after the date on which the license is issued and on or before that same date in each subsequent year, report the following information in writing to the department commission regarding the raffles which it has conducted:

(1c) Upon request of any organization that conducts a raffle during the month in which the report under sub. (1) is due, the department commission may extend by not more than 30 days the deadline for submitting the report.

(1m) Any organization that reports to the department commission under sub. (1) and that had total receipts from the conduct of raffles of more than \$50,000 during the reporting period shall include in its report a list of the names and addresses of all persons winning prizes with a retail value of \$100 or more, and the prizes won, during the reporting period.

(2) If a copy of the financial report is not filed or is not fully, accurately and truthfully completed, or if the fee specified in sub. (1g) is not paid, the department commission may refuse to renew a license or may suspend a license until the report in proper form has been filed or the fee is paid.

SECTION 782ph. 163.99 of the statutes is renumbered 563.99.

~~SECTION 782pm. 165.065 (2) of the statutes is amended to read.~~

~~165.065 (2) The assistant attorney general in charge of antitrust investigations and prosecutions is to cooperate actively with the antitrust division of the U.S. department of justice in everything that concerns monopolistic practices in Wisconsin, and also to cooperate actively with the department of agriculture and trade and consumer protection in the work which this agency is carrying on under s. 100.20 of the marketing law with regard to monopolistic practices in the field of agriculture and with the federal trade commission on matters arising in or affecting Wisconsin which pertain to its jurisdiction.~~

SECTION 782r. 165.25 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

165.25 (4) (a) The department of justice shall furnish all legal services required by the investment

Vetoed
in Part

board, the lottery ~~board~~ division in the gaming commission, the public service commission, the department of transportation, the department of natural resources and the department of employe trust funds, together with any other services, including stenographic and investigational, as are necessarily connected with the legal work.

SECTION 782rd. 165.25 (6) (c) of the statutes is created to read:

165.25 (6) (c) Physicians under s. 140.05 (16) (fm) 2 are covered by this section and shall be considered agents of the department of health and social services for purposes of determining which agency head may request the attorney general to appear and defend them.

SECTION 782t. 165.70 (1) (e) of the statutes is amended to read:

165.70 (1) (e) Investigate violations of ch. ~~463~~ 563 that are statewide in nature, importance or influence.

SECTION 783am. 165.70 (3m) of the statutes is created to read:

165.70 (3m) The attorney general shall establish a separate bureau in the division of criminal investigation in which all of the department's gaming law enforcement responsibilities under chs. 163, 562, 565 and 945 and s. 440.85 and relating to gaming activities conducted on Indian lands shall be performed.

SECTION 783b. 165.70 (3m) of the statutes, as created by 1991 Wisconsin Act (this act), is amended to read:

165.70 (3m) The attorney general shall establish a separate bureau in the division of criminal investigation in which all of the department's gaming law enforcement responsibilities under chs. ~~163, 562, 565 561 to 569~~ and 945 and s. ~~440.85~~ and relating to ~~gaming activities conducted on Indian lands~~ shall be performed.

Vetoed in Part SECTION 783m. 165.72 (6) of the statutes is amended to read:

~~165.72 (6) RECORDS. The department may withhold any record under this section from inspection or copying under s. 19.35 (1) (a).~~

SECTION 784. 165.97 (4) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

165.97 (4) (intro.) ~~During the 1991-93 biennium,~~ Payments under this section are limited to:

SECTION 785. 165.97 (4) (a) (intro.) of the statutes is repealed.

SECTION 786. 165.97 (4) (a) 1 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (a) and amended to read:

165.97 (4) (a) For the city of Milwaukee, \$456,100 in ~~each~~ fiscal year 1991-92, \$273,600 in fiscal year 1992-93, \$164,200 in fiscal year 1993-94 and \$98,500 in fiscal year 1994-95.

SECTION 787. 165.97 (4) (a) 2 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (b) and amended to read:

165.97 (4) (b) For Milwaukee county, \$228,100 in ~~each~~ fiscal year 1991-92, \$136,900 in fiscal year 1992-93, \$82,100 in fiscal year 1993-94 and \$49,300 in fiscal year 1994-95.

SECTION 788. 165.97 (4) (a) 3 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (c) and amended to read:

165.97 (4) (c) For Walworth county, \$41,300 in ~~each~~ fiscal year 1991-92, \$24,800 in fiscal year 1992-93, \$14,900 in fiscal year 1993-94 and \$8,900 in fiscal year 1994-95.

SECTION 789. 165.97 (4) (a) 4 of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 165.97 (4) (d) and amended to read:

165.97 (4) (d) For Sheboygan county, \$41,300 in ~~each~~ fiscal year 1991-92, \$24,800 in fiscal year 1992-93, \$14,900 in fiscal year 1993-94 and \$8,900 in fiscal year 1994-95.

SECTION 790. 165.97 (4) (b) of the statutes is repealed.

SECTION 791. 165.97 (5) of the statutes is amended to read:

165.97 (5) This section does not apply after June 30, ~~1993~~ 1995.

SECTION 791m. 167.26 (1) of the statutes is renumbered 167.26 (1) (intro.) and amended to read:

167.26 (1) (intro.) Any person who ~~shall remove~~ removes ice or ~~cause~~ causes its removal from any stream, pond or lake shall place around the margin of the opening made by such removal a fence, by setting posts of not less than 2 by 4 in size and with a any of the following fencings:

(a) ~~A fence board thoroughly nailed thereto attached not less than 3 1/2 feet above the surface of the ice on said~~ the stream, pond or lake.

SECTION 791n. 167.26 (1) (b) of the statutes is created to read:

167.26 (1) (b) Colored plastic construction roll fencing attached to the posts.

SECTION 793gd. 168.12 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed and recreated 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. Before July 1, 1994, the fee is 2 cents for each gallon from which the sample was taken. Beginning on July 1, 1994, the fee is 1.665 cents for each gallon from which the sample was taken. Subject to sub. (1g), the department shall distribute the fee as follows:

(a) An amount equal to 1.4 cents per gallon to the petroleum environmental cleanup fund.

(b) From the fee imposed before July 1, 1994, an amount equal to 0.335 cent per gallon to the appropriation under s. 20.370 (4) (cg).

(bm) An amount equal to 0.025 cent per gallon to the appropriations under s. 20.370 (2) (bh) and (bi), (4) (ig) and (8) (mh).

(c) An amount equal to 0.0025 cent per gallon, as a well compensation fee, to the environmental fund for environmental repair.

(d) An amount equal to 0.2375 cent per gallon to the appropriation under s. 20.445 (1) (j).

SECTION 793gh. 168.12 (1g) of the statutes is created to read:

168.12 (1g) During a fiscal year, the department may distribute moneys received under sub. (1) in different proportions than those specified in sub. (1) (a) to (d) if program needs, as estimated by the departments administering the programs funded with the moneys, so require. However, the distribution shall comply with the proportions in sub. (1) (a) to (d) for each fiscal year as a whole.

SECTION 793gk. 168.12 (1m) of the statutes is repealed.

SECTION 793gp. 168.12 (1r) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.

SECTION 793gt. 168.12 (1s) of the statutes is repealed.

Vetoed in Part

SECTION 793i. 174.001 (2) of the statutes is amended to read:

174.001 (2) "Department" means the department of agriculture, and trade and consumer protection.

SECTION 793m. 174.11 (1) of the statutes is amended to read:

174.11 (1) The owner of any livestock or ranch mink, when it is proven that the dog forcibly entered the enclosure in which the mink were kept, which are attacked, chased, injured or killed by dogs may, within 3 days after the owner has knowledge or notice thereof, file a written claim for damages with the clerk of the town, village or city in which the damage occurred or, if it occurred in a town or village, with the chairperson of such town or the president of such village. The form of the claim may be prescribed by the department of agriculture, and trade and consumer protection. Upon presentation of a claim the supervisors of the town, the board of trustees of the village, or the common council of the city, or a committee appointed for that purpose by the supervisors, the board of trustees or the common council shall promptly investigate the claim and may subpoena witnesses, administer oaths and take testimony relative to the claim and shall within 30 days after the filing of the claim make, certify and return to the county clerk the claim, a report of the investigation, the testimony taken and the amount of damages suffered by the owner of the livestock or mink.

SECTION 793p. 174.11 (2) of the statutes is amended to read:

174.11 (2) The form of the report and certification may be prescribed by the department of agriculture and trade and consumer protection, and shall be subscribed by the supervisors, board or committee making the report and certification. The county clerk shall submit to the county board at its first meeting, following the receipt of any such claim, all claims filed and reported and the claims shall be acted upon and determined by the county board as other claims are determined and acted upon. The amount of damages filed and reported to the county clerk shall be prima facie proof of the actual damages sustained, but evidence may be taken before the county board relative to the claims as in other cases and appeals from the action of the county board shall be as in other cases. On appeal from the action of the county board, the trial shall be by the court without a jury.

Vetoed in Part

SECTION 794d. 177.23 (1) of the statutes is amended to read:

177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the school fund all funds received under this chapter, including the clear proceeds from the sale of abandoned property under s. 177.22. Before making the deposit, the administrator shall record the name and last known address of each person appearing from the holders' reports to be entitled to the property and the name and last known address of each insured person or annuitant and beneficiary and, with respect to each policy or contract listed in the report of an insurance company, its number, the name of the company and the amount due. The information recorded by the administrator under this subsection is not available for inspection or copying under s. 19.35 (1) (a) until 24 months after payment or delivery of the property is due under s. 177.19 (1).

Vetoed in Part

SECTION 794gb. 180.0122 (1) (j) of the statutes is amended to read:

180.0122 (1) (j) Domestic Subject to sub. (3) (c), domestic corporation's or foreign corporation's statement of change of registered agent or registered office or both, \$10.

SECTION 794gd. 180.0122 (3) (c) of the statutes is created to read:

180.0122 (3) (c) Filing a domestic corporation's or a foreign corporation's statement of change of registered office if the only change is to an address and all of the following apply:

1. The new address is the result of a change in the way a county, city, village, town or the U.S. postal service describes the physical location of the registered office.
2. A copy of the notice indicating the new address is submitted with the statement.
3. The physical location of the registered office has not changed.

SECTION 794gm. 180.0123 (1) (a) (intro.) of the statutes is amended to read:

180.0123 (1) (a) (intro.) Except as provided in sub. (2) ~~and~~ or s. 180.0124 (3), 180.1622 (5) or 180.1921 (4), a document filed by the secretary of state under this chapter is effective on the date that it is received by the office of the secretary of state for filing and at any of the following times on that date:

SECTION 794ib. 180.0502 (1) (c) of the statutes is created to read:

180.0502 (1) (c) If a domestic corporation, including the name of its registered agent and the street address of its registered office, as changed, in its annual report under s. 180.1622 or 180.1921. A change under this paragraph is effective on the date the annual report is filed by the office of the secretary of state.

SECTION 794id. 180.0502 (2) (a) of the statutes is amended to read:

180.0502 (2) (a) The name of the corporation and, if applicable, a statement that the corporation is incorporated under this chapter.

SECTION 794if. 180.0502 (2) (b) of the statutes is repealed.

SECTION 794ih. 180.0502 (2) (c) of the statutes is repealed.

SECTION 794ij. 180.0502 (2) (d) of the statutes is amended to read:

180.0502 (2) (d) The name of its ~~current~~ registered agent, as changed.

SECTION 794im. 180.0502 (2) (e) of the statutes is amended to read:

180.0502 (2) (e) ~~If the current~~ The street address of its registered agent is to be, as changed, the name of the new registered agent.

SECTION 794pb. 180.1508 (1) (a) of the statutes is amended to read:

180.1508 (1) (a) The name of the foreign corporation and the name of the state or country under whose law it is incorporated.

SECTION 794pd. 180.1508 (1) (b) of the statutes is amended to read:

180.1508 (1) (b) The street address of its ~~current~~ registered office, as changed.

SECTION 794pf. 180.1508 (1) (c) of the statutes is repealed.

SECTION 794ph. 180.1508 (1) (d) of the statutes is amended to read:

180.1508 (1) (d) The name of its ~~current~~ registered agent, as changed.

SECTION 794pj. 180.1508 (1) (e) of the statutes is repealed.

SECTION 794pm. 180.1531 (2) (c) of the statutes is created to read:

180.1531 (2) (c) 1. If a foreign corporation obtained its certificate of authority within 24 months before the effective date of a certificate of revocation under par. (b), the secretary of state shall reinstate the

certificate of authority of the foreign corporation if the foreign corporation does all of the following within 6 months after the effective date of the certificate of revocation:

a. Corrects each ground for revocation.

b. Pays any fees or penalties due the secretary of state under this chapter or \$5,000, whichever is less.

2. A reinstatement under this paragraph shall relate back to and take effect as of the effective date of the revocation, and the foreign corporation may resume carrying on its business as if the revocation never occurred.

SECTION 794po. 180.1622 (5) of the statutes is created to read:

180.1622 (5) An annual report is effective on the date that it is filed by the office of the secretary of state.

SECTION 794pu. 180.1708 (8) (b) of the statutes is amended to read:

180.1708 (8) (b) Sections 180.1530 (2) and 180.1531 (2) (b) and (3) to (5) apply to a judicial revocation under s. 946.87 of which the secretary of state is notified under s. 180.1530 (2) on or after January 1, 1991. Section 180.1531 (2) (c) applies to a revocation based on grounds arising before, on or after January 1, 1991.

SECTION 794sd. 180.1921 (4) of the statutes is created to read:

180.1921 (4) An annual report is effective on the date that it is filed by the office of the secretary of state.

SECTION 797ag. 184.10 (3) of the statutes is amended to read:

184.10 (3) Whenever the commission deems it necessary to make an investigation of the books, accounts and practices or to make an appraisal of the property of any public service corporation which has filed an application for authority to issue any securities to which this chapter is applicable, such public service corporation shall pay all expenses reasonably attributable to such special investigation, or to such an appraisal of the property. For the purpose of calculating investigative and appraisal expenses of the public service commission, 90% of the costs determined shall be costs of the public service commission and 10% of the costs determined shall be costs of state government operations. The procedure set up by s. 195.60 or 196.85, whichever is appropriate, for the rendering and collection of bills shall be in all ways applicable to the rendering and collection of bills under this section. All Ninety percent of the amounts paid to the public service commission under authority of this subsection shall be credited to the appropriation ~~made in account~~ under s. 20.155 (1) (g).

SECTION 798g. 185.981 (4t) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 146.024 (2), 631.89 and 632.87 (2m), (3) and (5) and ch. 155.

SECTION 798gg. 185.981 (4t) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 146.024 (2), 631.89 and 632.87 (2m), (3), (4) and (5) and ch. 155.

Vetoed
in Part

~~SECTION 798gm. 185.981 (8m) of the statutes is created to read.~~

~~185.981 (8m) A sickness care plan operated by a cooperative association is subject to s. 632.895 (10).~~

SECTION 798h. 185.983 (1) (intro.) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act 39, is amended to read:

185.983 (1) (intro.) Every such voluntary non-profit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall:

SECTION 798hg. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), section 798h, is repealed and recreated to read:

185.983 (1) (intro.) Every such voluntary non-profit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall:

Vetoed
in Part

~~SECTION 798hi. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Acts 39 and (this act), is repealed and recreated to read.~~

~~185.983 (1) (intro.) Every such voluntary non-profit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5), 632.895 (5), (9) and (10) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall.~~

SECTION 798w. 186.113 (19) of the statutes is amended to read:

186.113 (19) Maintain real estate broker trust accounts under s. 452.13 for brokers otherwise eligible for membership in the credit union and, attorney trust accounts under s. 757.293 for attorneys otherwise eligible for membership in the credit union and collection agency trust accounts under s. 218.04 (9g) for persons otherwise eligible for membership in the credit union.

SECTION 890m. 195.001 (2m) of the statutes is created to read:

195.001 (2m) "Railroad historical society" means a nonprofit historical society that operates railroad locomotives and rolling stock on railroad tracks for the purpose of historic preservation and is not a common carrier.

SECTION 939. 195.28 (1) of the statutes is amended to read:

195.28 (1) PETITION; HEARING; ORDER. Upon petition of the department, city council, village board, member of town board, superintendent of highways or by 5 or more freeholders in any town, village or city, or of any railroad corporation or railroad historical society to determine whether a public highway and railroad grade crossing protects and promotes public safety, the office may investigate and issue an appropriate order without a public hearing. If the petitioner, railroad, railroad historical society or any interested party objects to the order and requests a hearing within 20 days after the date the order is issued, the office shall proceed under s. 195.04. Notice of an investigation or hearing shall be served upon the department, which shall be an interested party, and any recommendation it may file with the office at or prior to a hearing, if there is one, regarding crossing protection shall be considered as evidence in the proceeding. The office shall determine whether the existing warning devices at such crossing are adequate to protect and promote public safety. If the office determines, either without or after a hearing, that protection is not adequate, it may order the railroad company or railroad historical society to keep a flagman at the crossing or to install automatic signals or other suitable safety device at specific locations at such crossing. The office may order the relocation of existing signals and devices to improve protection at a crossing. Any crossing protection installed or maintained as approved by the office, whether by order or otherwise, shall be deemed adequate and appropriate protection for ~~such~~ the crossing.

SECTION 939m. 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 or railroad historical society. Any railroad company or railroad historical society 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 crossing protection devices from the appropriation under s. 20.395 (2) (gq). If the amount in the appropriation under s. 20.395 (2) (gq) is not adequate to fund maintenance reimbursement under this subsection, the amount shall be prorated in the manner determined by the office.

SECTION 984d. 196.207 of the statutes is created to read:

196.207 Telephone caller identification services. (1) DEFINITIONS. In this section:

(a) "Inbound wide-area telecommunications service" means a telecommunications service that allows a subscriber to the service to receive telephone calls from selected service areas at no charge to the person originating the telephone call.

(b) "Information service" means a telecommunications service that permits simultaneous calling by a large number of callers to a single telephone number and for which the customer is assessed, on a per-call or a per-time-interval basis, a charge that is greater than or in addition to the charge for the transmission of the call. "Information service" does not include a directory assistance or conference call service that is offered by a telecommunications utility and does not include a telecommunications service for which the customer charge is dependent on the existence of a presubscription relationship.

(c) "Telephone caller identification service" means a telecommunications service offered by a telecommunications utility that identifies a telephone line identification for an access line that is used by a person to originate a telephone call to a subscriber to the service.

(d) "Telephone line identification" means the number of or other information associated with an access line that can be used to identify the access line or the subscriber to the line.

(2) CONDITIONS FOR SERVICE. The commission may not approve a schedule or tariff that permits a telephone caller identification service to be offered in this state unless the schedule or tariff provides all of the following:

(a) For the 60-day period immediately preceding the first day on which a telephone caller identification service is operational in a geographical area, the telecommunications utility offering the service shall conduct an informational campaign to describe the telephone caller identification service to its access line customers within that area. The telecommunications utility informational campaign shall include all of the following information:

1. That the utility is offering telephone caller identification service and the date on which the service becomes operational.

2. That an access line customer may choose not to have the customer's telephone line identification identified to telephone caller identification service subscribers on an individual call basis without charge.

3. Other information on the telephone caller identification service that is specified by the commission.

(b) A calling telephone line identification shall be identified to a telephone caller identification service subscriber unless the calling access line customer chooses to have the customer's telephone line identification withheld from identification on an individual call basis or unless the customer installs customer

premises equipment that withholds the customer's telephone line identification for all calls originating from the customer's access line.

(c) The telecommunications utility may not charge an access line customer for withholding the customer's telephone line identification from identification on an individual call basis.

(d) An access line customer subscribing to the telephone caller identification service is not prohibited from using customer premises equipment that prevents the subscriber from receiving a call for which the calling telephone line identification is not identified.

(e) An access line customer who is any of the following may choose to have the customer's telephone line identification withheld from identification without charge for all calls originating from the customer's access line:

1. A victim of domestic violence protected by a court order.

2. A domestic violence victim's service program.

3. A battered women's shelter or other organization that provides a safe haven for victims of domestic violence.

(f) If the equipment is available, a telecommunications utility shall offer to access line customers in the geographical area in which telephone caller identification service is offered customer premises equipment produced by an authorized equipment manufacturer that permits a customer to withhold telephone line identification for all calls originating from the customer's access line and customer premises equipment produced by an authorized equipment manufacturer that prevents a telephone caller identification service subscriber from receiving a call for which the calling telephone line identification is not identified.

(2g) BLOCKING BY BUSINESS. The commission may prohibit business or commercial access line customers from withholding customer telephone line identifications from identification under any schedule or tariff that the commission approves.

(2m) PER LINE BLOCKING. Under any schedule or tariff that the commission approves, the commission may require that a telecommunications utility that offers a telephone caller identification service to permit an access line customer to choose to withhold the customer's access line identification from identification for all calls originating from the customer's access line.

(3) EXCEPTIONS. The commission may not approve a schedule or tariff under sub. (2) if the schedule or tariff allows a customer to withhold the identity of a telephone line identification from any of the following:

(a) A public agency emergency system under s. 146.70.

(b) An identification service provided in connection with an inbound wide-area telecommunications service or an information service, unless the commission determines that the telecommunications utility pro-

viding the inbound wide-area telecommunications service or the information service has the capability to comply with sub. (2) (b) or (e) with regard to that service.

(c) A telephone caller identification service used for calls that are completed within a system that includes both the caller's telephone or other customer premises equipment and the call recipient's telephone or other customer premises equipment and are completed without being transmitted through a publicly switched network.

(e) A trap and trace device as authorized under ss. 968.34 to 968.37.

(f) A telecommunications utility, to identify the access line used to originate a call, for purposes of billing for that call.

(4) COSTS. Except for customer premises equipment offered under sub. (2) (f), a telecommunications utility shall charge all costs for caller identification services provided under this section, including all costs related to the options and services provided to access line customers under subs. (2) and (2m), to telephone caller identification service subscribers.

Vetoed in Part (5) ~~PRIVACY CONSIDERATIONS. The commission shall promulgate a rule that establishes privacy guidelines applicable to telecommunications utilities.~~

SECTION 984jd. 196.795 (9) of the statutes is amended to read:

196.795 (9) PROTECTION OF BUSINESS INFORMATION. ~~Notwithstanding s. 19.35, if~~ If the commission obtains business information from a holding company system which, if disclosed to the public, would put any non-utility affiliate in the holding company system at a material competitive disadvantage, the information is not subject to s. 19.35 (1)(a) and the commission shall protect such information from public disclosure as if it were a trade secret as defined in s. 134.90 (1) (c).

Vetoed in Part SECTION 984jg. 196.84 of the statutes is amended to read:

196.84 (title) Commission's holding company and nonutility affiliate regulation costs. Under rules promulgated by the commission, a holding company, as defined in s. 196.795 (1) (h) or a nonutility affiliate, as defined under s. 196.795 (1) (j), shall compensate the commission for the cost of any increase in regulation of any public utility affiliate, as defined under s. 196.795 (1) (L), which is with the holding company or nonutility affiliate in a holding company system as defined in s. 196.795 (1) (i), if the commission determines that the increase is reasonably required in order for the commission to implement and enforce s. 196.795. Such compensation may not be recovered directly or indirectly from any public utility affiliate. The commission shall assess such compensation using the procedure prescribed in s. 196.85, except that no advance payment of a remainder assessment under s. 196.85 (2) may be required for the first 2 fiscal years after November 28, 1985. ~~No assessment for costs which are not reasonably required for the implemen-~~

~~tation or enforcement of s. 196.795 may be assessed against a holding company or nonutility affiliate under this section.~~ No assessment may be made under this section against any holding company or nonutility affiliate for any time worked by any person under s. 196.795 (10m) if the time is properly assessable for utility regulation under s. 196.85. For the purpose of calculating cost increases under this section, 90% of the cost increases determined shall be costs of the commission and 10% of the cost increases determined shall be costs of state government operations.

SECTION 984jn. 196.85 (1) and (2) of the statutes are amended to read:

196.85 (1) If the commission in a proceeding upon its own motion, on complaint, or upon an application to it deems it necessary in order to carry out the duties imposed upon it by law to investigate the books, accounts, practices and activities of, or make appraisals of the property of any public utility, power district or sewerage system or to render any engineering or accounting services to any public utility, power district or sewerage system, the public utility, power district or sewerage system shall pay the expenses attributable to the investigation, including the cost of litigation, appraisal or service. The commission shall mail a bill for the expenses to the public utility, power district or sewerage system either at the conclusion of the investigation, appraisal or services, or during its progress. The bill constitutes notice of the assessment and demand of payment. The public utility, power district or sewerage system shall, within 30 days after the mailing of the bill pay to the commission the amount of the special expense for which it is billed. The Ninety percent of the payment shall be credited to the appropriation to the commission in account under s. 20.155 (1) (g). The total amount in any one calendar year for which any public utility, power district or sewerage system is liable, by reason of costs incurred by the commission within the calendar year, including charges under s. 184.10 (3), may not exceed four-fifths of one percent of its gross operating revenues derived from intrastate operations in the last preceding calendar year. Nothing in this subsection shall prevent the commission from rendering bills in one calendar year for costs incurred within a previous year. For the purpose of calculating the costs of investigations, appraisals and other services under this subsection, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations.

(2) The commission shall annually, within 90 days of the commencement of each fiscal year, ~~ascertain~~ calculate the total of its expenditures during the prior fiscal year which are reasonably attributable to the performance of its duties relating to public utilities, sewerage systems and power districts under this chapter and chs. 66, 184 and 198 and expenditures of the state for state government operations to support the performance of such duties. For purposes of such cal-

culatation, 90% of the expenditures so determined shall be expenditures of the commission and 10% of the expenditures so determined shall be expenditures for state government operations. The commission shall deduct from this total all amounts chargeable to public utilities, sewerage systems and power districts under sub. (1) and s. 184.10 (3). The commission shall assess a sum equal to the remainder plus 10% of the remainder to the public utilities and power districts in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. If, at the time of payment, the prior year's expenditures made under this section exceeded the payment made under this section in the prior year, the commission shall charge the remainder to the public utilities and power districts in proportion to their gross operating revenues during the last calendar year. If, at the time of payment it is determined that the prior year's expenditures made under this section were less than the payment made under this section in the prior year, the commission shall credit the difference to the current year's payment. The assessment shall be paid within 30 days after the bill has been mailed to the public utilities and power districts. The bill constitutes notice of the assessment and demand of payment. The Ninety percent of the payment shall be credited to the appropriation made in account under s. 20.155 (1) (g).

SECTION 984jp. 196.855 of the statutes is amended to read:

196.855 Assessment of costs against municipalities. Any expense incurred by the commission in making any appraisal or investigation of public utility property under ch. 197 shall be charged directly to the municipality making the application. The commission shall ascertain the expense, and shall render and review any bill under s. 196.85 insofar as applicable. For the purpose of calculating the expense, 90% of the costs determined shall be costs of the commission and 10% of the costs determined shall be costs of state government operations. If a bill under this section is not paid within the time required by s. 196.85, the bill shall bear interest at the rate of 6% per year and the amount of the bill and the interest shall be certified to the department of administration and shall be levied and collected as a special charge in the same manner as a state tax.

Vetoed in Part SECTION 984m. 196.857 (1) (intro.) of the statutes is amended to read:

~~196.857 (1) (intro.) The commission shall establish and administer a program to provide to farmers on-site technical assistance related to stray voltage. In cooperation with the department of agriculture, and trade and consumer protection, the commission shall investigate the causes of stray voltage on individual farms, recommend to farmers solutions to stray voltage problems and evaluate the effectiveness of on-site technical assistance. The commission shall assess annually all of the following amounts to public utilities which produce electricity and which have annual~~

~~gross operating revenues related to electricity in excess of \$100,000,000 in proportion to their respective electric gross operating revenues during the last calendar year, derived from intrastate operations.~~

Vetoed in Part

SECTION 985m. 215.13 (48) of the statutes is amended to read:

215.13 (48) TRUST ACCOUNTS. Maintain real estate broker trust accounts under s. 452.13 and attorney trust accounts under s. 757.293 and collection agency trust accounts under s. 218.04 (9g).

SECTION 991m. 218.01 (3) (a) 17 of the statutes is amended to read:

218.01 (3) (a) 17. Being a manufacturer, factory branch, distributor, field representative, officer, agent or any representative whatsoever of such motor vehicle manufacturer or factory branch, who has unfairly, without due regard to the equities of said the dealer and or without just provocation, canceled or failed to renew the franchise of any motor vehicle dealer; or being a manufacturer, factory branch or importer, who unfairly, without due regard to the equities of a distributor and or without just provocation canceled or failed to renew the franchise of any distributor. All existing dealers' franchises shall continue in full force and operation under a newly appointed distributor on the termination of an existing distributor unless a mutual agreement of cancellation is filed with the department between the newly appointed distributor and such dealer.

SECTION 1003g. 218.04 (9g) of the statutes is created to read:

218.04 (9g) TRUST ACCOUNTS. (a) In this section, "financial institution" has the meaning given in s. 705.01 (3).

(b) A licensee shall establish a trust account with a financial institution. The licensee shall notify the commissioner of the name of the financial institution that maintains the trust account. The commissioner may prohibit a licensee from establishing or maintaining a trust account in a financial institution if the commissioner believes that the financial institution is operating in an unsafe or unsound manner.

(c) Promptly after collection, a licensee shall deposit in the trust account sufficient funds to pay all money due any claimant or forwarder. A licensee may not use the trust account for any other purpose.

SECTION 1003gm. 218.04 (9m) (b) of the statutes is amended to read:

218.04 (9m) (b) In taking possession of the property and business of any such collection agency, the commissioner shall forthwith give notice to any and all banks or bank corporations other financial institutions holding or in possession of any bank balances or assets of such agency and thereafter such assets shall be held subject to the order of the commissioner.

SECTION 1005c. 218.10 (1g) of the statutes, as affected by 1991 Wisconsin Act 39, is repealed.

SECTION 1005e. 218.10 (1t) of the statutes is created to read:

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218.10 (1t) "Licensor" means the administering department authorized under s. 218.101 to administer this subchapter.

SECTION 1005g. 218.10 (8m) of the statutes is created to read:

218.10 (8m) "Recreational vehicle" means a mobile home that does not exceed the statutory size under s. 348.07.

SECTION 1005i. 218.101 of the statutes is created to read:

218.101 Administering department. (1) The department of administration shall administer this subchapter as it relates to those mobile home dealers and mobile home salespersons engaged in the sale of primary housing units.

(2) The department of transportation shall administer this subchapter as it relates to those mobile home dealers and mobile home salespersons engaged in the sale of recreational vehicles.

SECTION 1005k. 218.11 (1) of the statutes is amended to read:

218.11 (1) No person shall ~~may~~ engage in the business of selling mobile homes to the ultimate consumer or to the retail market in this state unless first licensed to do so by the department licensor as herein provided.

SECTION 1005kc. 218.11 (2) (a), (b) and (d) of the statutes are amended to read:

218.11 (2) (a) Application for license and renewal license shall be made to the department licensor on forms prescribed and furnished by the department licensor, accompanied by the license fee required under par. (c) or (d).

(b) 1. The department licensor shall promulgate rules establishing the license period under this section.

2. The department licensor may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the department licensor issues a license under this section during the license period, the fee for the license shall equal \$50 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 1005kd. 218.11 (3) of the statutes is amended to read:

218.11 (3) A license shall be issued only to persons whose character, fitness and financial ability, in the opinion of the licensing agency licensor, is such as to justify the belief that they can and will deal with and serve the buying public fairly and honestly, will maintain a permanent office and place of business and an adequate service and parts department during the license year, and will abide by all the provisions of law and lawful orders of the department licensor.

SECTION 1005ke. 218.11 (6) (intro.) and (d) of the statutes are amended to read:

218.11 (6) (intro.) The ~~department~~ licensor may deny, suspend or revoke a license on the following grounds:

(d) Wilful failure to comply with any provision of this section or any rule promulgated by the ~~department~~ licensor under this section.

SECTION 1005kf. 218.11 (7) (a) and (b) of the statutes are amended to read:

218.11 (7) (a) The licensor may without notice deny the application for a license within 60 days after receipt thereof by written notice to the applicant, stating the grounds for such denial. Within 30 days after such notice, the applicant may petition the office of the commissioner of transportation if the licensor is the department of transportation or the department of administration if that department is the licensor to conduct a hearing to review the denial, and a hearing shall be scheduled with reasonable promptness.

(b) No license shall ~~may~~ be suspended or revoked except after a hearing thereon. The licensor shall give the licensee at least 5 days' notice of the time and place of such hearing. The order suspending or revoking such license shall not be effective until after 10 days' written notice thereof to the licensee, after such hearing has been had; except that the licensor, when in its opinion the best interest of the public or the trade demands it, may suspend a license upon not less than 24 hours' notice of hearing and with not less than 24 hours' notice of the suspension of the license. Matters involving suspensions and revocations brought before the ~~department~~ licensor shall be heard and decided upon by the office of the commissioner of transportation if the licensor is the department of transportation or the department of administration if that department is the licensor.

SECTION 1005m. 218.12 (1) and (2) (a), (b) and (d) of the statutes are amended to read:

218.12 (1) No person shall ~~may~~ engage in the business of selling mobile homes to the ultimate consumer or to the retail market in this state without a license therefor from the department licensor. If a mobile home dealer acts as a mobile home salesperson the dealer shall secure a mobile home salesperson's license in addition to the license for engaging as a mobile home dealer.

(2) (a) Applications for mobile home salesperson's license and renewals thereof shall be made to the department licensor on such forms as the department licensor prescribes and furnishes and shall be accompanied by the license fee required under par. (c) or (d). The application shall require such pertinent information as the department licensor requires.

(b) 1. The department licensor shall promulgate rules establishing the license period under this section.

2. The department licensor may promulgate rules establishing a uniform expiration date for all licenses issued under this section.

(d) If the department licensor issues a license under this section during the license period, the fee for the

license shall equal \$4 multiplied by the number of calendar years, including parts of calendar years, during which the license remains in effect. A fee determined under this paragraph may not exceed the license fee for the entire license period under par. (c).

SECTION 1005no. 218.14 (1) (a), (b) and (d) of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

218.14 (1) (a) That the primary housing unit meets those standards prescribed by law or administrative rule of the department of administration or of the department of industry, labor and human relations, which are in effect at the time of its manufacture.

(b) That the primary housing unit is free from defects in material and workmanship and is reasonably fit for human habitation if it receives reasonable care and maintenance as defined by rule of the department of administration.

(d) That if during any period of time after notification of a defect, the primary housing unit is uninhabitable, as defined by rule of the department of administration, that period of time shall not be considered part of the one-year warranty period.

SECTION 1005q. 218.16 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

218.16 (title) Rules. The department of administration shall promulgate rules and establish standards necessary to carry out the purposes of ss. 218.14 and 218.15.

SECTION 1005s. 218.17 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

218.17 (2) In any court action brought by the ~~department~~ licensor for violations of this subchapter, the ~~department~~ licensor may recover all costs of testing and investigation, in addition to costs otherwise recoverable, if it prevails in the action.

SECTION 1014d. 220.04 (6) (d) of the statutes is amended to read:

220.04 (6) (d) The commissioner of banking, with the approval of the banking review board, may establish rules regulating the kind and amount of foreign bonds or bonds and securities offered for sale by the international bank for reconstruction and development, the inter-American development bank, the international finance corporation, the African development bank and the Asian development bank which state banks, trust company banks and mutual savings banks may purchase, except that such rules shall not apply to bonds and securities of the Canadian government and Canadian provinces, which are payable in American funds.

SECTION 1014s. 222.13 (1) (b) of the statutes is amended to read:

222.13 (1) (b) In notes, securities and bonds of one or more federal home loan banks, securities of the banks for cooperatives, securities of one or more federal land banks, notes and securities of the federal national mortgage association, securities of the federal

intermediate credit banks, but investment in any one of the aforesaid of the same class and issue shall not exceed 50% of the guaranty fund and undivided profits. Investment in bonds of the international bank for reconstruction and development, bonds of the inter-American development bank, bonds of the international finance corporation, bonds of the African development bank and bonds of the Asian development bank shall be limited to 10% of the guaranty fund and undivided profits; in bankers' acceptances eligible for purchase by federal reserve banks, investment shall not exceed 50% of the guaranty fund and undivided profits; and in stock in a federal home loan bank or stock in a federal reserve bank, investment shall not exceed an amount that will qualify such mutual savings bank for membership in the federal home loan bank or federal reserve bank.

SECTION 1017e. 227.01 (13) (zd) of the statutes is amended to read:

227.01 (13) (zd) Establishes procedures for oil inspection fee collection and ~~setting an additional oil inspection fee under ss. 101.143 and under s. 168.12 (1m).~~

SECTION 1027m. 227.45 (1) of the statutes is amended to read:

227.45 (1) Except as provided in ~~s. ss. 19.52 (3) and 901.05~~, an agency or hearing examiner shall not be bound by common law or statutory rules of evidence. The agency or hearing examiner shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony ~~or evidence that is inadmissible under s. 901.05~~. The agency or hearing examiner shall give effect to the rules of privilege recognized by law. Basic principles of relevancy, materiality and probative force shall govern the proof of all questions of fact. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record.

SECTION 1031d. 230.04 (1m) of the statutes is amended to read:

230.04 (1m) The secretary may delegate, in writing, any of his or her functions set forth in this chapter to an appointing authority, within prescribed standards if the secretary finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the secretary determines that any agency is not performing such delegated function within prescribed standards, the secretary shall forthwith withdraw such delegated function. Subject to the approval of the joint committee on finance, the secretary may order transferred to the department from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the department reduced staff or shifted staff to new responsibilities as a result of such delegation. Any delegatory action

taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The secretary shall be a party in such an appeal.

Vetoed in Part SECTION 1031g. 230.08 (2) (e) 2 of the statutes is amended to read:

~~230.08 (2) (e) 2. Agriculture and trade and consumer protection — 6 5.~~

SECTION 1031r. 230.08 (2) (e) 4m of the statutes is created to read:

230.08 (2) (e) 4m. Gaming commission — 4.

Vetoed in Part SECTION 1031m. 230.08 (2) (e) 7 of the statutes is amended to read:

~~230.08 (2) (e) 7. Justice — 4 5.~~

SECTION 1031s. 230.08 (2) (L) 5c of the statutes is repealed.

SECTION 1031t. 230.08 (2) (L) 5s of the statutes is repealed.

SECTION 1032m. 230.08 (2) (m) 2m of the statutes is created to read:

230.08 (2) (m) 2m. Gaming commission.

SECTION 1032p. 230.08 (2) (qm) of the statutes is repealed.

SECTION 1032q. 230.08 (2) (qr) of the statutes is repealed.

SECTION 1033. 230.08 (2) (s) of the statutes is amended to read:

230.08 (2) (s) The director, sales manager and 3 sales representatives of prison industries in the department of corrections.

Vetoed in Part SECTION 1033d. 230.08 (2) (xp) of the statutes is created to read:

~~230.08 (2) (xp) The executive secretary of the mediation council.~~

SECTION 1033m. 230.08 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 39, 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 outside the classified service in each department, board or commission and the historical society. In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the educational communications board, investment board, public defender board and board of vocational, technical and adult education and "commission" means the public service commission and the gaming 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 1034. 230.12 (1) (a) 1. b. of the statutes is amended to read:

230.12 (1) (a) 1. b. The provisions governing the pay of all unclassified positions except positions for employes of the university of Wisconsin system which are not identified under s. 20.923 (4) or (4m), for employes of the legislature which are not identified

under s. 20.923 (4), for employes of a service agency under subch. IV of ch. 13, for employes of the state court system, for employes of the investment board identified under s. 230.08 (2) (p) ~~and~~, for one stenographer employed by each elective executive officer under s. 230.08 (2) (g), and for 3 sales representatives of prison industries and one sales manager of prison industries identified under s. 303.01 (10).

SECTION 1034m. 230.13 of the statutes is renumbered 230.13 (1), and 230.13 (1) (intro.), as renumbered, is amended to read:

230.13 (1) (intro.) Except as provided in sub. (2) and s. 103.13, the secretary and the administrator may keep records of the following personnel matters closed to the public:

SECTION 1034n. 230.13 (2) of the statutes is created to read:

230.13 (2) Unless the name of an applicant is certified under s. 230.25, the secretary and the administrator shall keep records of the identity of an applicant for a position closed to the public whenever the applicant indicates to an appointing authority under s. 19.36 (7) that the applicant does not wish his or her identity to be revealed.

Vetoed in Part

SECTION 1035. 230.33 (3) of the statutes is amended to read:

230.33 (3) ~~An~~ Except for 3 sales representatives of prison industries and one sales manager of prison industries identified under s. 303.01 (10), ~~an~~ employe appointed to a position in the unclassified service from the classified service shall be entitled to receive at least the same pay received in the classified position while serving in such unclassified position.

SECTION 1035m. 230.44 (1) (b) of the statutes is amended to read:

230.44 (1) (b) *Decision made or delegated by secretary.* Appeal of a personnel decision under s. 230.09 (2) (a) or (d) or 230.13 (1) made by the secretary or by an appointing authority under authority delegated by the secretary under s. 230.04 (1m).

SECTION 1038s. 234.49 (1) (intro.) of the statutes is amended to read:

234.49 (1) DEFINITIONS. (intro.) In ~~this section~~ ss. 234.49 to 234.55:

SECTION 1039. 234.49 (1) (e) 2 of the statutes is amended to read:

234.49 (1) (e) 2. The structure is not subject to rules adopted under s. 101.63 ~~or~~, 101.73 ~~or~~ 101.973, if a housing rehabilitation loan is granted for the property to implement energy conservation improvements.

SECTION 1039f. 234.49 (1) (f) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

234.49 (1) (f) (intro.) "Housing rehabilitation loan" means a loan to finance eligible rehabilitation or a property tax deferral loan. The maximum amount of a housing rehabilitation loan, except a property tax deferral loan, is \$17,500. The term of any housing

rehabilitation loan, except a property tax deferral loan, the repayment of which is made in monthly or other periodic instalments, may not exceed 15 years. Housing rehabilitation loans, except property tax deferral loans, include:

SECTION 1039g. 234.49 (1) (hm) of the statutes is created to read:

234.49 (1) (hm) "Property tax deferral loan" means a loan that originated under the property tax deferral program under subch. IV of ch. 77, 1989 stats., and for which application under s. 77.66 (3), 1989 stats., was made before July 1, 1992.

SECTION 1039h. 234.49 (2) (a) 10 of the statutes is created to read:

234.49 (2) (a) 10. To enter into contracts or agreements with the department of revenue to purchase property tax deferral loans under the housing rehabilitation loan program.

SECTION 1039j. 234.50 (1) of the statutes is amended to read:

234.50 (1) The authority may issue its negotiable bonds in such principal amount and of such length of maturity as, in the opinion of the authority, is necessary to provide sufficient funds for purchasing housing rehabilitation loans or for funding commitments for loans to lenders for housing rehabilitation loans; for purchasing property tax deferral loans under s. 234.49 (2) (a) 10; for the establishment of reserves to secure such bonds; and for all other expenditures of the authority incident to or necessary and convenient in connection therewith. The authority may, whenever it deems refunding expedient, refund any bonds by the issuance of new bonds whether the bonds to be refunded have or have not matured, and issue bonds partly to refund bonds then outstanding and partly for the purpose authorized by this section.

Vetoed in Part SECTION 1040g. 236.02 (4) of the statutes is amended to read:

236.02 (4) "Department" means the department of agriculture, ~~and trade and consumer protection.~~

Vetoed in Part SECTION 1040m. 301.048 (9) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

301.048 (9) INFORMATION FOR THE SENTENCING COMMISSION. The department shall provide the sentencing commission with information to assist the commission in promulgating rules under s. 973.011 (2). ~~The department shall charge the commission for the actual costs of providing the information.~~

Vetoed in Part SECTION 1040w. 301.28 (2) of the statutes is amended to read:

301.28 (2) (a) Correctional officers serving under permanent appointment prior to July 31, 1981, are not required to meet any requirement under par. (b) as a condition of continued employment. Failure of any such correctional officer to fulfill those requirements does not make that person ineligible for any promotional examination for which he or she is otherwise eligible. Those correctional officers may voluntarily

~~participate in this program and must comply with sub. (3).~~

Vetoed in Part

~~(b) No person may be permanently appointed as a correctional officer unless the person has satisfactorily completed a preservice training program approved by the department. For correctional officers beginning training after July 1, 1993, the program shall include at least 240 hours of training.~~

SECTION 1040x. 301.28 (3) of the statutes is created to read:

301.28 (3) A person may continue as a correctional officer only if he or she completes, in each fiscal year, 24 hours of additional training approved by the department. A correctional officer shall first comply with this subsection in the later of the following:

- (a) Fiscal year 1993-94.
- (b) The fiscal year following the fiscal year in which he or she is permanently appointed as a correctional officer.

SECTION 1040y. 301.285 of the statutes is amended to read:

~~301.285 In-service and work experience training. The department may shall conduct a program of in-service training and staff development and, in cooperation with educational institutions, may provide facilities for work experience for students, including subsistence.~~

SECTION 1041. 301.31 of the statutes is amended to read:

301.31 Wages to prisoners. The department may provide for assistance of prisoners on their discharge; for the support of their families while the prisoners are in confinement; or for the payment, either in full or ratably, of their obligations acknowledged by them in writing or which have been reduced to judgment by the allowance of moderate wages, to be paid from the operation, maintenance, farm and construction appropriations of the institution in which they are confined. Until the prisoner's final discharge, the funds arising from the wages shall be under the control of the officer in charge of the institution and shall be used for the benefit of the prisoner, the prisoner's family and other obligations specified in this section. Earnings by inmates working in the prison industries and the retention and distribution thereof shall be governed by ~~s.~~ ss. 303.01 (4) and (8) and 303.06 (2).

SECTION 1041m. 301.40 of the statutes is created to read:

Vetoed in Part

301.40 Inmate death investigations. (1) DEFINITIONS. In this section:

- (a) "Board" means the inmate death investigation board.
- (b) "Inmate" means any person confined in a state prison under s. 302.01, except it does not include any person confined under s. 301.046 (1) or confined in a Type II prison.

(2) INVESTIGATIONS. The department shall notify, as soon as practicable, the board chairperson when

**Vetoed
in Part**

ever an inmate dies. Thereafter, the chairperson shall call a board meeting on the topic of the inmate's death. The board may meet by telephone conference call. The department shall provide the board with any information available regarding the death and allow board members to have access to any departmental records regarding the inmate and the death. The board may investigate any inmate death and may purchase the services of an investigator to aid any investigation. The board does not have subpoena power.

(3) **REPORTS.** (a) The board shall report any death to the applicable sheriff, police chief, medical examiner or coroner whenever required to do so under s. 979.01.

(b) The board may report any information at any time to the submit of the department of justice responsible for criminal investigation.

(c) As soon as practicable after the completion of an investigation, the board shall report all of its findings regarding that investigation to the department and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 1042. 302.33 (2) (a) 3 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

302.33 (2) (a) 3. After verification by the department, it shall reimburse the county at a rate of \$36 per person per day prior to January 1, 1993, and \$40 per person per day thereafter, subject to the conditions in subs. 1 and 2. If \$1,330,700 for fiscal year 1991-92 1992-93, \$1,475,400 for fiscal year 1992-93 1993-94 and \$1,620,100 for any fiscal year thereafter 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.

**Vetoed
in Part**

~~SECTION 1042g. 302.38 (2) of the statutes is amended to read:~~

~~302.38 (2) The prisoner is liable for the costs of medical and hospital care outside of the jail, including any costs of ambulance or other transportation in connection with medical or hospital care for the prisoner. If the prisoner is unable to pay the costs, the county shall pay the costs in the case of persons held under the state criminal laws or for contempt of court and a municipality shall pay the costs in the case of persons held under municipal ordinance by the municipality.~~

~~SECTION 1042m. 302.38 (2) of the statutes, as affected by 1989 Wisconsin Acts 261 and 359 and 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~302.38 (2) The prisoner is liable for the costs of medical and hospital care outside of the jail, including~~

~~any costs of ambulance or other transportation in connection with medical or hospital care for the prisoner. If the prisoner is unable to pay the costs, the county shall pay the costs in the case of persons held under the state criminal laws or for contempt of court and, except as provided in s. 302.336 (2) and (3) (b), a municipality shall pay the costs in the case of persons held under municipal ordinance by the municipality.~~

~~SECTION 1042p. 302.38 (3) of the statutes is renumbered 302.38 (3) (a) and amended to read:~~

~~302.38 (3) (a) The Except as provided in in par. (b), 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, except s. 49.468, 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 paragraph by the governmental unit. If no medical assistance rate exists for the care provided, there is no limitation under this subsection paragraph.~~

~~SECTION 1042t. 302.38 (3) (b) of the statutes is created to read:~~

~~302.38 (3) (b) Unless the city, village or town agrees to a lower amount, a county shall reimburse any city, village or town for the full cost of ambulance or other transportation service provided by the city, village or town for the transportation of a county jail prisoner, held in a place of custody under the state criminal laws or for contempt of court, to or from a place of custody in connection with medical or hospital care for the prisoner. The county shall make the reimbursement within 30 days after receiving the bill.~~

~~SECTION 1044. 303.01 (8) of the statutes is amended to read:~~

~~303.01 (8) DISPOSITION OF EARNINGS. The department has the authority to determine how much, if any, of the earnings of an inmate may be spent and for what purposes they may be spent within the confines of the prison. The department shall distribute earnings for the crime victim and witness assistance surcharge under s. 973.045 (4) and for compliance with s. 303.06 (2) and may distribute earnings for the support of the inmate's dependents and for other obligations either acknowledged by the inmate in writing or which have been reduced to judgment that may be satisfied according to law.~~

~~SECTION 1045. 303.01 (10) of the statutes is created to read:~~

~~303.01 (10) SALES PERSONNEL. Three sales representative positions and one sales manager position to sell and manage the sale of goods and services produced by prison industries shall be in the unclassified civil service.~~

~~SECTION 1046. 303.06 (2) of the statutes is amended to read:~~

~~303.06 (2) The department may enter into or renew a contract with a manufacturer or distributor to have~~

**Vetoed
in Part**

prison industries provide products, components or services if at the time that the contract is originally entered into the products, components or services have been supplied to the manufacturer or distributor for the previous 12 months by a facility outside the United States. The department shall collect not less than 5% nor more than 20% of the gross wages of inmates earned under such a contract to be credited to the appropriation under s. 20.455 (5) (i).

Vetoed
in Part

~~SECTION 1047m. 304.06 (1) (f) of the statutes is amended to read:~~

~~304.06 (1) (f) The parole commission shall design and prepare cards for persons specified in par. (c) 3 to send to the commission. The cards shall have space for these persons to provide their names and addresses, the name of the applicable prisoner and any other information the parole commission determines is necessary. The parole commission shall provide the cards, without charge, to district attorneys. District attorneys shall provide the cards, without charge, to persons specified in par. (s) 3. These persons may send completed cards to the parole commission. All commission records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1) (a). Before any written statement of a person specified in par. (c) 3 is made a part of the documentary record considered in connection with a parole hearing under this section, the parole commission shall obliterate from the statement all references to the mailing addresses of the person.~~

SECTION 1047p. 304.10 (3) of the statutes is amended to read:

304.10 (3) ~~Notwithstanding s. 19.35, any~~ Any statement or paper containing a reference to the address of a victim or a member of the victim's family which is contained in a statement or other paper accompanying a pardon application is not subject to s. 19.35 (1) (a) and shall be closed to the public. The governor, using the procedure under s. 19.36 (6), shall delete any reference to the address in any statement or paper made public.

Vetoed
in Part

SECTION 1048m. 340.01 (58a) of the statutes is amended to read:

340.01 (58a) "Snowmobile" means any engine-driven vehicle of a type ~~which that~~ utilizes sled type runners, or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated, but does not include such vehicles ~~which that~~ are either manually propelled or driven by a motor of 4 horsepower or less and that are operated in sanctioned races, derbies, competitions or exhibitions or only on private property.

SECTION 1050. 341.08 (1m) of the statutes is created to read:

341.08 (1m) The forms for application for original registration and for renewal of registration under sub. (1) or another form provided by the department shall

include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation.

Vetoed
in Part

~~SECTION 1051m. 341.10 (14) of the statutes is amended to read:~~

~~341.10 (14) After December 31, 1993, the vehicle has a mobile air conditioner, as defined in s. 100.45 130.33 (1) (b), the distribution of which in this state would be prohibited under s. 100.45 130.33 (2).~~

SECTION 1052. 341.17 (5) of the statutes is amended to read:

341.17 (5) Public ~~Except as provided in sub. (9) (e),~~ public officers and agencies receiving free copies of registration lists under sub. (4) shall keep such lists current and open to public inspection.

SECTION 1053. 341.17 (9) of the statutes is created to read:

341.17 (9) (a) In this subsection:

1. "Agent" means an authorized person who acts on behalf of or at the direction of another person.
2. "Insurer" has the meaning given in s. 600.03 (27).
3. "Personal identifier" means a name, street address, post-office box number or 9-digit extended zip code.
4. "State authority" has the meaning given in s. 19.62 (8).

(b) In providing copies under this section or s. 19.35 (1) (a) of any written information collected or prepared under this chapter or ch. 342 which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) that his or her personal identifiers may not be disclosed as provided in this subsection.

(c) Paragraph (b) does not apply to any of the following:

1. A person receiving a registration list under sub. (4) to perform a legally authorized function.
2. A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.
3. An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) or 342.06 (1) (i) for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim.
4. A person obtaining registration or title information for use in the conduct of a vehicle recall by the manufacturer of the vehicle or an agent of the manu-

manufacturer, if the person uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) or 342.06 (1) (i) for vehicle recalls.

(d) 1. The department shall establish by rule a reasonable period for the processing of a designation under s. 341.08 (1m) or 342.06 (1) (i) and for complying with a designation under par. (b).

2. If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under subd. 1, the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

(f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than \$500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than \$500 for each violation.

Vetoed in Part 3. Subdivisions 1 and 2 do not apply to a legal custodian under s. 19.33 of the department ~~while acting in good faith.~~

SECTION 1053g. 341.36 (1) of the statutes is amended to read:

341.36 (1) Except as provided in sub. (2), the department shall charge a fee of \$25 to reinstate a registration previously suspended or revoked under this chapter or ch. 344. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

SECTION 1053i. 341.36 (1m) of the statutes is created to read:

341.36 (1m) Except as provided in sub. (2), the department shall charge a fee of \$50 to reinstate a registration previously suspended or revoked under ch. 344. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

SECTION 1053k. 341.36 (2) of the statutes is amended to read:

341.36 (2) ~~Subsection (1) does~~ Subsections (1) and (1m) do not apply to the reinstatement of a registration suspended under s. 341.63 (1) (c), (d) or (e) or to the reinstatement of a registration suspended or revoked as a result of an error by the department.

SECTION 1053m. 341.36 (3) of the statutes is amended to read:

341.36 (3) If the registrations of more than one vehicle owned by a person are suspended or revoked

under ch. 344 as a result of the same occurrence, payment of one fee under sub. (4) (1m) applies to the reinstatement of the registrations of all of those vehicles.

SECTION 1054. 342.06 (1) (i) of the statutes is created to read:

342.06 (1) (i) A place for an applicant who is a natural person to designate that the applicant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant who has made a designation under this paragraph to reverse the designation. The department may provide for these designations and statement on an alternative form.

SECTION 1056. 343.07 (1m) (a) of the statutes, as affected by 1991 Wisconsin Act 12, section 3, is amended to read:

343.07 (1m) (a) Except as provided in par. (am), the permittee may not operate a commercial motor vehicle or school bus unless accompanied by a qualified instructor or a licensed person ~~25 21~~ years of age or older with ~~at least 2 years of licensed driving experience in a representative vehicle and~~ a valid license authorizing the person to operate such vehicle, occupying the seating position nearest to the driver. No passengers are allowed in the vehicle, except that when the accompanying operator is a qualified instructor up to 3 other permittees also being trained may occupy seats in the vehicle. The permittee may operate a commercial motor vehicle carrying property under this paragraph.

SECTION 1057e. 343.10 (10) (am) of the statutes is created to read:

343.10 (10) (am) If the petitioner's commercial driver license has been suspended or revoked under ch. 344, a petition seeking issuance of an occupational license authorizing operation of "Class A", "Class B" or "Class C" vehicles may be filed directly with the department. The petition may not seek authorization to operate "Class D" or "Class M" vehicles.

SECTION 1058. 343.14 (2m) of the statutes is created to read:

343.14 (2m) The forms for application for a license or identification card or for renewal thereof or another form provided by the department shall include a place for an applicant, licensee or identification card holder to designate that his or her name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 343.235 or 343.24 (4), a statement indicating the effect of making such a designation and a place for an applicant, licensee or identification card holder who has made a designation under this subsection to reverse the designation.

SECTION 1058g. 343.17 (3) (a) 12 of the statutes is created to read:

343.17 (3) (a) 12. If the person is not the legal drinking age, as defined in s. 125.02 (8m), at the time of issuance of the license, a distinctive background color for the license document designated by the department that clearly identifies to the public that the person was not the legal drinking age at the time of issuance of the license.

SECTION 1058m. 343.19 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

343.19 (1) If a license issued under this chapter or an identification card issued under s. 343.50 is lost or destroyed or the name or address named in the license or identification card is changed or the condition specified in s. 343.17 (3) (a) 12 no longer applies, the person to whom the license or identification card was issued may obtain a duplicate thereof or substitute therefor upon furnishing proof satisfactory to the department of name, date and place of birth and that the license or identification card has been lost or destroyed or that application for a duplicate license or identification card is being made for a change of address or name or because the condition specified in s. 343.17 (3) (a) 12 no longer applies. If the original license or identification card is found it shall immediately be transmitted to the department. Duplicates of nonphoto licenses shall be issued as nonphoto licenses.

SECTION 1059. 343.235 of the statutes is created to read:

343.235 Access to license and identification card records. (1) In this section:

- (a) "Agent" means an authorized person who acts on behalf of or at the direction of another person.
- (b) "Insurer" has the meaning given in s. 600.03 (27).
- (c) "Personal identifier" means a name, street address, post-office box number or 9-digit extended zip code.
- (d) "State authority" has the meaning given in s. 19.62 (8).

(2) In providing copies under s. 19.35 (1) (a) of any written information collected or prepared under this chapter which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) or 343.51 (1m) that his or her personal identifiers may not be disclosed as provided in this section.

(3) Subsection (2) does not apply to any of the following:

- (a) A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.
- (b) An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the personal identifiers for purposes of issuing or renewing a policy and

related underwriting, billing or processing or paying a claim.

(4) (a) The department shall establish by rule a reasonable period for the processing of a designation under s. 343.14 (2m) or 343.51 (1m) and for complying with a designation under sub. (2).

(b) If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under par. (a), the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(5) Any person who has received under sub. (3) a personal identifier of any person who has made a designation under s. 343.14 (2m) or 343.51 (1m) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under sub. (3).

(6) (a) Any person who wilfully discloses a personal identifier in violation of this section may be required to forfeit not more than \$500 for each violation.

(b) Any person who wilfully requests or obtains a personal identifier from the department under this section under false pretenses may be required to forfeit not more than \$500 for each violation.

(c) Paragraphs (a) and (b) do not apply to a legal custodian under s. 19.33 of the department while acting in good faith.

Vetoed
in Part

~~SECTION 1060am. 343.237 of the statutes is created to read:~~

~~343.237 Use of social security numbers. The department shall only use social security numbers collected under s. 343.14 (2) (b) in the administration and enforcement of chs. 341 to 343. The department may not disclose under s. 19.35 (1) (a), 341.17 (9), 343.235 or 343.24 a social security number collected under s. 343.14 (2) (b) unless the disclosure is to a law enforcement agency for a purpose relating to the enforcement of ch. 341, 342 or 343 or to an employer under s. 343.245 (3m) (a).~~

SECTION 1061. 343.24 (4) of the statutes is created to read:

- 343.24 (4) (a) In this subsection:
 1. "Agent" means an authorized person who acts on behalf of or at the direction of another person.
 2. "Insurer" has the meaning given in s. 600.03 (27).
 3. "Personal identifier" means a name, street address, post-office box number or 9-digit extended zip code.
 4. "State authority" has the meaning given in s. 19.62 (8).
- (b) In furnishing 10 or more operating records to a person under sub. (1) or (2m), the department may not disclose a personal identifier of any person who has made a designation under s. 343.14 (2m) that his or

her personal identifiers may not be released as provided in this subsection.

(c) Paragraph (b) does not apply to any of the following:

1. A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.

2. An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the names or addresses for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim.

(d) 1. The department shall establish by rule a reasonable period for the processing of a designation under s. 343.14 (2m) and for complying with a designation under par. (b).

2. If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under subd. 1, the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 343.14 (2m) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

(f) 1. Any person who wilfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than \$500 for each violation.

2. Any person who wilfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than \$500 for each violation.

3. Subdivisions 1 and 2 do not apply to a legal custodian under s. 19.33 of the department ~~while acting in good faith.~~

Vetoed
in Part

SECTION 1075e. 343.34 (intro.) of the statutes is amended to read:

343.34 Suspension of licenses. (intro.) ~~In addition to suspensions authorized under ch. 344, the~~ The secretary may suspend operating privileges under this section under the following circumstances:

SECTION 1075m. 343.50 (3) of the statutes is amended to read:

343.50 (3) DESIGN AND CONTENTS OF CARD. The card shall be the same size 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 (3). The card may serve as a document of gift under s. 157.06 (2) (b) and (c) and the holder may affix a sticker thereto as provided in s.

343.175 (3). The card may also serve as a document of refusal to make an anatomical gift under s. 157.06 (2) (i). The card shall contain the holder's photograph and, if applicable, comply with the requirement of s. 343.17 (3) (a) 12.

SECTION 1076. 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include the information required under s. 343.14 (2) (a) and (b) and (2m), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations are punishable as provided in s. 343.14 (5).

SECTION 1077. 343.51 (1m) of the statutes is created to read:

343.51 (1m) The form for application for a special identification card under sub. (1) or another form provided by the department shall include a place for an applicant or special identification card holder who is a natural person to designate that his or her name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided under s. 343.235, a statement indicating the effect of making such a designation and a place for an applicant or special identification card holder who has made a designation under this subsection to reverse the designation.

SECTION 1079e. 344.02 (title) and (1) of the statutes are amended to read:

344.02 (title) Hearing on revocation or impoundment. (1) Whenever the department under s. 344.13 gives notice of the amount of security required to be deposited and that an order of ~~suspension~~ revocation or impoundment will be made if such security is not deposited, it shall afford the person so notified an opportunity for a hearing on the proposed action, if written request for such hearing is received by the department prior to the date specified in such notice, or prior to the postponed effective date of ~~suspension~~ revocation if postponement has been granted under s. 344.14 (1). Upon receipt of timely request for hearing, the department shall refer the matter to the office of the commissioner of transportation which shall fix the time and place of such hearing and give notice thereof to such person by regular mail. The scope of the hearing shall be limited to the matter set forth in s. 344.14 (2) (k) and to whether or not the person is the owner of the motor vehicle to be impounded. Any person who fails without reasonable cause to appear at the time and place specified in the notice shall forfeit the right to a hearing.

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SECTION 1081c. 344.02 (3) of the statutes is amended to read:

344.02 (3) Upon completion of the hearing, the office of the commissioner of transportation shall make findings of fact, conclusions of law, and a decision, and shall either proceed to order ~~suspension~~ revocation of the person's operating privilege, or registrations, or both, and may also order the impoundment of the person's motor vehicle, in accordance with s. 344.14, or upon good cause appearing therefor, shall terminate the proceedings.

SECTION 1081g. 344.02 (4) of the statutes is amended to read:

344.02 (4) The time during which enforcement of an order of ~~suspension~~ revocation or impoundment is stayed pending completion of court review thereof shall not be included as part of the one-year period fixed by s. 344.18 (1) (d) for ~~suspension~~ revocation or the period fixed under s. 344.185 (2) (a) or (b) for impoundment.

SECTION 1083b. 344.04 of the statutes is amended to read:

344.04 (title) Power of court to stay revocation of registration or impoundment of vehicles. (1) Notwithstanding any other provision of this chapter, the secretary shall not revoke ~~or suspend~~ the registration of a vehicle when ordered not to do so by the court wherein the judgment for damages was had or, in a case not involving a judgment, when ordered not to do so by a court pursuant to petition of the registrant in accordance with sub. (2).

(2) Upon receiving information, other than of a judgment for damages in a court of this state, that would be cause for revocation ~~or suspension~~ of registration or impoundment of the vehicle, the secretary shall notify the registrant of the intention to revoke ~~or suspend~~ such registration or impound the vehicle. The registrant may thereupon petition any court of record in the registrant's county for an order enjoining the secretary's contemplated action, whereupon the judge of such court shall grant an order restraining the secretary in the matter until the petition is finally determined by the court. If such petition and order are served upon the secretary within 10 days after the date of the secretary's notice or in any event before the secretary has revoked ~~or suspended~~ the registration or impounded the vehicle, the secretary shall await the final determination of the court. The secretary shall be given notice of the hearing. Upon a showing that it would result in undue hardship upon the petitioner to have any such registration revoked ~~or suspended~~ or the vehicle impounded, the court shall issue an order restraining the secretary from revoking ~~or suspending~~ the registration or impounding the vehicle.

(3) This section does not authorize a court to stay ~~suspension~~ revocation of an operator's license.

SECTION 1083c. 344.08 of the statutes is amended to read:

344.08 (title) Revocation for failure to report accident. (1) The secretary may ~~suspend~~ revoke the operating privilege or registration of any person who fails to report an accident as required by s. 346.70 or to give correctly the information requested by the secretary in connection with such report unless, in the judgment of the secretary, there was excusable cause for such failure or unless the accident did not result in injury or damage to the person or property of anyone other than the person so required to report.

(2) Any operating privilege ~~suspended~~ revoked under this section, or ~~suspended~~ revoked under any other section for failure to report an accident, shall be reinstated in accordance with s. 344.09 at the end of one year following the effective date of the ~~suspension~~ revocation order if, during such one-year period, no notice of action ~~instituted within one year from the date of the accident~~ has been filed with the department in the manner specified in s. 344.18 (1) (d).

SECTION 1083cg. 344.08 (3) of the statutes is created to read:

344.08 (3) The provisions of this chapter requiring revocation for failure to report an accident apply to any operating privilege suspended pursuant to s. 344.08, 1989 stats., for failure to report an accident.

SECTION 1083d. 344.09 of the statutes is amended to read:

344.09 (title) Reinstatement of revoked operating privilege and registration. (1) Whenever the secretary is satisfied that the reason for ~~suspension~~ revocation of an operating privilege under this chapter has been removed, including satisfaction of any of the requirements of s. 344.18, the secretary shall order reinstatement of the operating privilege. The department shall give notice of the reinstatement to the person whose operating privilege has been ~~suspended~~ revoked in the manner it deems appropriate. ~~The reinstatement order has the same effect as an automatic reinstatement under s. 343.39.~~

(2) Whenever an operating privilege ~~suspended~~ revoked pursuant to this chapter is reinstated, any registration which was ~~suspended~~ revoked along with the operating privilege is automatically reinstated and the department shall return any surrendered and unexpired registration plate in its possession.

SECTION 1083e. 344.09 (3) of the statutes is created to read:

344.09 (3) Nothing in this section exempts a person from the applicable reinstatement fees under s. 341.36 or 343.21 or from complying with applicable provisions of s. 343.38.

SECTION 1083f. 344.12 of the statutes is amended to read:

344.12 Applicability of provisions relating to deposit of security for past accidents. Subject to the exceptions contained in s. 344.14, the provisions of this chapter requiring deposit of security and requiring ~~suspension~~ revocation for failure to deposit security apply to the operator and owner of every motor vehicle which is in

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any manner involved in an accident in this state which has resulted in bodily injury to or death of any person or damage to property of any other person in excess of \$500.

SECTION 1083h. 344.13 of the statutes is amended to read:

344.13 Secretary to determine amount of security required following accident and to give notice thereof.

(1) The secretary after receipt of a report of an accident of the type specified in s. 344.12 shall determine, with respect to such accident, the amount of security which is sufficient in the secretary's judgment to satisfy any judgment for damages resulting from such accident which may be recovered against either operator or owner of the vehicles involved in such accident. Such determination shall be based upon the total property damage suffered by other persons whose property was involved in the accident, not including the vehicle a person was operating when such operation was with the owner's permission, and on the extent of personal injuries, including deaths, involving other parties to the accident. The determination as to the amount of security required shall not be made with respect to operators or owners who are exempt from the requirements of security and ~~suspension~~ revocation under s. 344.14 (2).

(2) The secretary shall determine the amount of security required to be deposited by each person on the basis of the accident reports or other information submitted. In addition to the accident reports required by law, the secretary may request from any of the persons, including passengers and pedestrians, involved in such accident such further information, sworn statements or other evidence relating to property damage, personal injury or death in motor vehicle accidents as deemed necessary to aid in determining the amount to be deposited as security under s. 344.14. Failure of a person to comply with such request is grounds for ~~suspending~~ revoking such person's operating privilege but no ~~suspension~~ revocation shall be made on such grounds until one follow-up request has been made and at least 20 days have elapsed since the mailing of the first request.

(3) The secretary within 90 days after receipt of a report of an accident of the type specified in s. 344.12 and upon determining the amount of security to be required of any person involved in such accident or to be required of the owner of any vehicle involved in such accident, shall give at least 10 days' written notice to every such person of the amount of security required to be deposited by the person. The notice also shall state that an order of ~~suspension~~ revocation will be made as provided in s. 344.14, unless within such time security is deposited as required by the notice. The order of ~~suspension~~ revocation may be made a part of the notice, with a provision that it will take effect on the date specified in this subsection unless security is deposited prior to that date.

SECTION 1083i. 344.14 (title) and (1) of the statutes are amended to read:

344.14 (title) Revocation for failure to deposit security; impoundment of vehicle; exceptions. (1) If a person who was given notice pursuant to s. 344.13 (3) fails to deposit security in the amount and by the time specified in the notice, the secretary shall forthwith ~~suspend~~ revoke the person's operating privilege if the person was the operator of a motor vehicle involved in the accident and all the person's registrations if the person was the owner of a motor vehicle involved in the accident unless the person furnishes proof satisfactory to the secretary that the person comes within one of the exceptions set forth in sub. (2). If the owner and operator are separate persons, only one of them need deposit security or the 2 persons may cooperate in depositing security. Upon request of the owner or operator in question, the secretary may postpone the effective date of a ~~suspension~~ revocation under this section not to exceed 20 days.

SECTION 1083j. 344.14 (1g) of the statutes is created to read:

344.14 (1g) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (1).

SECTION 1083k. 344.14 (1m) (intro.) of the statutes is amended to read:

344.14 (1m) (intro.) In addition to the ~~suspensions~~ revocations under sub. (1), the secretary may order the impoundment of any motor vehicle which is:

SECTION 1083L. 344.14 (2) (h) of the statutes is amended to read:

344.14 (2) (h) To any person who would otherwise have to deposit security if, prior to the date the secretary would otherwise ~~suspend~~ revoke the person's operating privilege and registrations under sub. (1) or order the impoundment of the motor vehicle under sub. (1m), there is filed with the secretary evidence satisfactory to the secretary that the person has been released from liability or has been finally adjudicated not to be liable or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in instalments with respect to all claims for injuries or damage resulting from the accident. The secretary may accept a release from liability executed by a parent as natural guardian on behalf of a minor child with respect to property damage or personal injuries sustained by the minor, provided that the total damages, including the cost of medical care, do not exceed \$5,000 and that, in case of personal injury, the doctor's certificate of injury filed with the department certifies that the minor received no permanent injury.

SECTION 1083Le. 344.14 (2) (k) of the statutes is amended to read:

344.14 (2) (k) To the operator or the owner of a vehicle involved in an accident when it appears to the satisfaction of the secretary that there does not exist a reasonable possibility of a judgment in the amount

claimed or in a lesser amount being rendered against such operator ~~or owner~~ as a result of the accident.

SECTION 1083m. 344.18 (title) and (1) of the statutes are amended to read:

344.18 (title) Duration of revocation for failure to deposit security. (1) Any operating privilege or registration ~~suspended~~ revoked as provided in s. 344.14 shall remain ~~suspended~~ revoked and shall not be renewed or reinstated until the applicable fee required under s. 341.36 (1m) or 343.21 (1) (j) has been paid and one of the following requirements has been met:

(a) The person whose operating privilege or registration was ~~suspended~~ revoked deposits the security required under s. 344.14.

(b) There is filed with the secretary evidence satisfactory to the secretary that the person whose operating privilege or registration was ~~suspended~~ revoked has been released from liability or has been finally adjudicated not to be liable. The secretary may accept a release executed by a parent on behalf of a minor child only if the release satisfies the requirements specified in s. 344.14 (2) (h).

(c) There is filed with the secretary evidence satisfactory to the secretary that the person whose operating privilege or registration was ~~suspended~~ revoked has executed a duly acknowledged written agreement in accordance with s. 344.14 (2) (h) and subject to sub. (3) of this section.

(d) One year has elapsed since the effective date of the ~~suspension~~ revocation order and, during such period, no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest ~~within the one-year period following the date of the accident or by service of counterclaim or cross-complaint within the 20-day answer period.~~ If the action was commenced in a court of record, the notice required by this paragraph shall include a certified copy of the summons and complaint or counterclaim or cross-complaint and proof of service filed therein. In all cases of service under s. 345.09, an additional notice and service must be made under this chapter to avail oneself of the provisions of this chapter.

SECTION 1083mc. 344.18 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

344.18 (1) (intro.) Any registration revoked as provided in s. 344.14 shall remain revoked and shall not be renewed or reinstated until the fee required under s. 341.36 (1m) has been paid, one of the requirements under pars. (a) to (d) has been met and the requirements of sub. (1m) are satisfied. Any operating privilege revoked as provided in s. 344.14 shall remain revoked and shall not be renewed or reinstated until the fee required under s. 343.21 (1) (j) has been paid, the applicable provisions of s. 343.38 have been complied with and one of the following requirements has been met:

SECTION 1083mf. 344.18 (1m) of the statutes is created to read:

344.18 (1m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (1) (a), (b), (c) or (d) has been met, the person whose registration was suspended or revoked under sub. (1) or whose operating privilege or registration was suspended under s. 344.14, 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the person is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.14, 1989 stats.

SECTION 1083n. 344.18 (3) (intro.) of the statutes is amended to read:

344.18 (3) (intro.) If there is any default in the payment of any instalment under a duly acknowledged written agreement, the secretary, upon notice of such default given in no event later than 30 days after the time for final instalment, shall forthwith ~~suspend~~ revoke the operating privilege and registrations of the defaulting person, which ~~suspension~~ revocation shall remain in effect until the applicable fee required under s. 341.36 (1m) or 343.21 (1) (j) has been paid and one of the following requirements has been met:

SECTION 1083ne. 344.18 (3) (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

344.18 (3) (intro.) If there is any default in the payment of any instalment under a duly acknowledged written agreement, the secretary, upon notice of such default given in no event later than 30 days after the time for final instalment, shall forthwith ~~revoke~~ the registrations of the defaulting person, which ~~revocation~~ shall remain in effect until the fee required under s. 341.36 (1m) has been paid, the requirement under par. (a) or (b) has been met and the requirements of sub. (3m) are satisfied, and shall forthwith ~~revoke~~ the operating privilege of the defaulting person, which ~~revocation~~ shall remain in effect until the fee required in s. 343.21 (1) (j) has been paid, the applicable provisions of s. 343.38 have been complied with and one of the following requirements has been met:

SECTION 1083p. 344.18 (3) (b) of the statutes is amended to read:

344.18 (3) (b) One year has elapsed since the effective date of the ~~suspension~~ revocation order and, during such period, no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest ~~within the one-year period following the date when such security was required or by service of counterclaim or cross-complaint within the 20-day answer period.~~ The notice

required by this paragraph shall comply with sub. (1) (d).

SECTION 1083pf. 344.18 (3m) of the statutes is created to read:

344.18 (3m) (a) Unless 3 years have elapsed since the date that a requirement under sub. (3) (a) or (b) has been met, the person whose registration was suspended or revoked under sub. (3) or whose operating privilege or registration was suspended under s. 344.18 (3), 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the person is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.18 (3), 1989 stats.

SECTION 1083ph. 344.18 (3r) of the statutes is created to read:

344.18 (3r) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (3).

SECTION 1083q. 344.18 (4) of the statutes is amended to read:

344.18 (4) The secretary shall not ~~suspend~~ ~~revoke~~, as required by sub. (3), if the defaulting person has made payments to the extent specified in s. 344.15 (1) with reference to the acceptable limits of a policy or bond.

SECTION 1083r. 344.19 (2) of the statutes is amended to read:

344.19 (2) If the operating privilege or registration of a nonresident is ~~suspended~~ ~~revoked~~ pursuant to s. 344.14, the secretary shall transmit a certified copy of the record of such action to the administrator of the division of motor vehicles or equivalent official of the state in which that person resides if the law of the state in which that person resides provides for similar action by the administrator or equivalent official of that state in the event that a resident of this state has a nonresident's operating privilege or registration in that state suspended or revoked for failure to comply with the safety responsibility law of that state.

SECTION 1083s. 344.19 (3) of the statutes is amended to read:

344.19 (3) Upon receipt of such certification from another state to the effect that the operating privilege or registration of a resident of this state has been suspended or revoked in such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for payment of judgments arising out of a motor vehicle accident, under circumstances which would require the secretary to

~~suspend~~ ~~revoke~~ a nonresident's operating privilege or registration had the accident occurred in this state, the secretary shall ~~suspend~~ ~~revoke~~ the license of such resident if he was the operator and all of his registrations if he was the owner of a motor vehicle involved in such accident. The department may accept a certification which is in the form of a combined notice of required security and suspension or revocation order, but shall not ~~suspend~~ ~~revoke~~ a resident's operating privilege or registration on the basis of such order until at least 30 days have elapsed since the time for depositing security in the other state expired. A ~~suspension~~ ~~revocation~~ under this section shall continue until such resident furnishes evidence of his compliance with the law of the other state relating to the deposit of security.

SECTION 1083sc. 344.19 (3) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

344.19 (3) Upon receipt of such certification from another state to the effect that the operating privilege or registration of a resident of this state has been suspended or revoked in such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for payment of judgments arising out of a motor vehicle accident, under circumstances which would require the secretary to revoke a nonresident's operating privilege or registration had the accident occurred in this state, the secretary shall revoke the license of such resident if he or she was the operator and all of his or her registrations if he or she was the owner of a motor vehicle involved in such accident. The department may accept a certification which is in the form of a combined notice of required security and suspension or revocation order, but shall not revoke a resident's operating privilege or registration on the basis of such order until at least 30 days have elapsed since the time for depositing security in the other state expired. A revocation of operating privilege under this section shall continue until such resident furnishes evidence of his or her compliance with the law of the other state relating to the deposit of security, the fee required under s. 343.21 (1) (j) has been paid and the applicable provisions of s. 343.38 have been complied with. A revocation of registration under this section shall continue until such resident furnishes evidence of his or her compliance with the law of the other state relating to the deposit of security, the fee required under s. 341.36 (1m) has been paid and the requirements of sub. (3m) are satisfied.

SECTION 1083se. 344.19 (3g) of the statutes is created to read:

344.19 (3g) The secretary shall refuse registration of any vehicle owned by a person whose registration has been revoked under sub. (3).

SECTION 1083sg. 344.19 (3m) of the statutes is created to read:

344.19 (3m) (a) Unless 3 years have elapsed since compliance of the resident with the law of the other state relating to the deposit of security, the resident whose registration was suspended or revoked under

sub. (3) or whose operating privilege or registration was suspended under s. 344.19 (3), 1989 stats., shall file with the department proof of financial responsibility in the amount, form and manner specified in this chapter. The person shall maintain the proof of financial responsibility at all times for 3 years following reinstatement or renewal of the registration while the registration of any vehicle owned by the resident is in effect or, for suspension of operating privilege, for 3 years following reinstatement or renewal of the license while the license is in effect.

(b) This subsection applies as a condition precedent to renewal or reinstatement of an operating privilege or registration suspended under s. 344.19 (3), 1989 stats.

SECTION 1083si. 344.20 (2) (a) of the statutes is amended to read:

344.20 (2) (a) The security may be applied to the payment of judgments for damages arising out of the accident in question rendered against either operator or owner for the damages resulting from such accident in an action at law ~~begun not later than one year after the date of the accident or not later than one year after the date of deposit of any security under s. 344.18 (3).~~ Any party to such action in favor of whom a judgment was rendered may move to have the court order the secretary to transmit to the court for application to the payment of the judgment the money or securities available for such purpose, and the court may so order. The secretary shall transmit to the clerk of the court the money or securities in the amount authorized by par. (c) or in the amount specified in the court order if less than the amount so authorized. Securities transmitted shall be valued at the same amount as when received by the department. Any excess shall be returned by the court to the secretary to be held by the secretary subject to the provisions of this chapter.

SECTION 1083sm. 344.20 (3) (c) of the statutes is amended to read:

344.20 (3) (c) If the provisions of s. 344.18 (1) (b), (c) or (d) or (3) (b) are not applicable, the deposit or any balance thereof shall be returned when one year has elapsed from the date the deposit was made and during that period no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest ~~within the one-year period following the date of the accident or by service of counterclaim or cross complaint within the 20-day answer period.~~ If the action was commenced in a court of record, the notice required by this paragraph shall include a certified copy of the summons and complaint or counterclaim or cross complaint and proof of service filed therein. In all cases of service under s. 345.09, an additional notice and service must be made under this chapter to avail oneself of the provisions of this chapter.

SECTION 1083t. 344.24 of the statutes is amended to read:

344.24 Applicability of sections relating to proof of financial responsibility for the future. Sections 344.29 to 344.41 are applicable in all cases in which a person is required to deposit proof of financial responsibility for the future, including those cases in which a person is required to deposit proof of financial responsibility for the future under ss. 344.25 to 344.27, those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to renewal or reinstatement of an operating privilege or registration suspended or revoked under s. 344.14, 344.18 (3) or 344.19 (3) and those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to issuance of an operator's license under s. 343.38 (4) or reinstatement of an operating privilege revoked pursuant to ch. 343.

SECTION 1083v. 344.29 of the statutes is amended to read:

344.29 Proof of financial responsibility for the future required. Proof of financial responsibility for the future shall be furnished by any person required to give such proof under ss. 344.25 to 344.27, those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to renewal or reinstatement of an operating privilege or registration suspended or revoked under s. 344.14, 344.18 (3) or 344.19 (3) and in those cases in which the deposit of proof of financial responsibility for the future is a condition precedent to issuance of an operator's license under s. 343.38 (4) or reinstatement of an operating privilege revoked under ch. 343.

SECTION 1083vg. 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 or a bond under s. 344.36, 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 certification on the grounds of failure to pay a premium when due. Such a certified policy or bond 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 1083vm. 344.40 (1) of the statutes is renumbered 344.40 (1) (a) and amended to read:

344.40 (1) (a) ~~Whenever~~ Except as provided in par. (b), whenever any person who has furnished proof of financial responsibility fails to maintain such proof at any time during the period when proof of financial responsibility is required, the secretary shall revoke such person's operating privilege for a period of time running from the date of revocation until such time as either satisfactory proof of financial responsi-

bility is again furnished or the period during which proof was required to be furnished has expired.

SECTION 1083vp. 344.40 (1) (b) of the statutes is created to read:

344.40 (1) (b) Whenever any person who has furnished proof of financial responsibility fails to maintain such proof at any time during the period when proof of financial responsibility is required under s. 344.18 (1m) or (3m) or 344.19 (3m), the secretary shall revoke all of the person's registrations for a period of time running from the date of revocation until such time as either satisfactory proof of financial responsibility is again furnished or the period during which proof was required to be furnished has expired.

SECTION 1083w. 344.40 (2) of the statutes is amended to read:

344.40 (2) Whenever any proof of financial responsibility filed under this chapter no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall ~~suspend~~ revoke the operating privilege pending the filing of such other proof.

SECTION 1083wd. 344.40 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

344.40 (2) (a) Except as provided in par. (b), whenever any proof of financial responsibility filed under this chapter no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall revoke the operating privilege pending the filing of such other proof.

(b) Whenever any proof of financial responsibility filed under s. 344.18 (1m) or (3m) or 344.19 (3m) no longer fulfills the purposes for which required, the secretary shall require other proof meeting the requirements of this chapter and shall revoke all of the person's registrations pending the filing of such other proof.

SECTION 1083we. 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 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, except as provided in sub. (1m), any of the following events has occurred:

SECTION 1083wg. 344.41 (1m) of the statutes is created to read:

344.41 (1m) Subject to the exceptions set forth in sub. (2), the secretary shall, upon request, consent to the immediate cancellation of any bond or 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 finan-

cial responsibility under s. 344.18 (1m) or (3m) or 344.19 (3m) whenever any of the following events has occurred:

(a) The period during which proof of financial responsibility is required has expired.

(b) The person who has given proof surrenders all of the person's registrations to the secretary.

SECTION 1083wi. 344.41 (3) of the statutes is renumbered 344.41 (3) (a) and amended to read:

344.41 (3) (a) Whenever any person whose proof has been canceled or returned under sub. (1) (c) desires reinstatement of his license prior to the expiration of the period during which proof of financial responsibility is required, he shall again furnish proof of financial responsibility. Thereupon his license is ~~automatically~~ reinstated as provided in s. ~~343.39~~ 343.38.

SECTION 1083wk. 344.41 (3) (b) of the statutes is created to read:

344.41 (3) (b) Whenever any person whose proof has been canceled or returned under sub. (1m) (b) desires reinstatement of his or her registrations prior to the expiration of the period during which proof of financial responsibility is required, he or she shall again furnish proof of financial responsibility. Thereupon his or her registrations may be renewed or reinstated upon payment of the fee required under s. 341.36 (1m).

SECTION 1083x. 344.46 (1) of the statutes is amended to read:

344.46 (1) No owner of a motor vehicle involved in an accident in this state which is reportable under s. 346.70 shall transfer the ownership or registration of any vehicle whose registration is subject to ~~suspension~~ revocation under s. 344.14 until this chapter has been complied with or until the secretary is satisfied that such transfer is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this chapter.

SECTION 1083y. 344.46 (3) of the statutes is amended to read:

344.46 (3) This section does not apply to or affect the registration of any vehicle sold by a person who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such vehicle from a person whose registration has been ~~suspended~~ revoked pursuant to this chapter.

SECTION 1084m. 345.54 (5) of the statutes, as created by 1991 Wisconsin Act 86, is amended to read:

345.54 (5) This section applies after ~~December 31, 1992~~ June 30, 1993.

SECTION 1091. 347.48 (2m) (gm) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

347.48 (2m) (gm) Notwithstanding s. 349.02, a law enforcement officer may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2) or a local ordinance in conformity with

this subsection or sub. (1) or (2). This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2) observed in the course of a stop or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2) or a local ordinance in conformity with this subsection or sub. (1) or (2).

**Vetoed
in Part**

~~SECTION 1091a. 348.01 (2) (am) of the statutes is amended to read:~~

~~348.01 (2) (am). "Certified stationary scale" means a stationary scale which is tested and inspected annually for accuracy by the department of agriculture, and trade and consumer protection or other authorized testing agency in accordance with specifications, tolerances, standards and procedures established by the national institute of standards and technology and the department of agriculture, and trade and consumer protection for the testing and examination of scales.~~

~~SECTION 1091s. 348.15 (5) (intro.) of the statutes is amended to read:~~

~~348.15 (5) (intro.) For enforcement of weight limitations specified by this chapter the gross weight, measured in pounds, imposed on the highway by any wheel or any one axle or by any group of 2 or more axles shall be determined by weighing the vehicles and load, either by single draft or multiple draft weighing on certified stationary scales or on portable scales in good working order which are tested in comparison to certified stationary scales within 90 days immediately prior to any weighing operation by the department of agriculture, and trade and consumer protection or other authorized testing agencies for accuracy to within standard accepted tolerances. The weighing operation shall be performed in accordance with and under conditions accepted as good weighing technique and practice. In multiple draft weighing the sum of the weight of respective components shall be used to establish the weight of a combination of the components. It is recognized that the weight, determined in accordance with methods prescribed in this chapter, includes all statutory weights and represents the momentary load force or reaction imposed on the scale at the time of weighing. Such weights include any variation due to the following factors:~~

~~SECTION 1093m. 348.27 (1) (a) of the statutes is amended to read:~~

~~348.27 (1) (a) If the secretary, after consultation with the secretary of agriculture, and trade and consumer protection, determines that an agricultural transportation emergency exists with respect to the harvest of a particular crop, the secretary may authorize the issuance of permits to allow vehicles or combinations of vehicles which are transporting crops from field to storage or processing facilities to exceed the weight limitations under s. 348.15 or 348.16 by not more than 15% of the applicable weight limitations.~~

SECTION 1094. 349.02 (2) (b) 4 of the statutes is created to read:

349.02 (2) (b) 4. Local ordinances enacted under s. 59.07 (107), 60.23 (21) or 66.051 (4).

SECTION 1094c. 349.13 (1) of the statutes is amended to read:

349.13 (1) (a) The department with respect to state trunk highways outside of corporate limits and the local authorities with respect to highways under their jurisdiction, including state trunk highways or connecting highways within corporate limits, may, within the reasonable exercise of the police power, prohibit, limit the time of or otherwise restrict the stopping, standing or parking of vehicles beyond the prohibitions, limitations or restrictions imposed by ch. 346, except that they may not modify the exceptions set forth in s. 346.50.

(b) The department may also restrict or prohibit the stopping, standing or parking of vehicles on any part of a state trunk highway or connecting highway within corporate limits if the local authority having jurisdiction has not enacted any stopping, standing or parking regulation applicable to the highway or part thereof in question as provided under par. (a). ~~This paragraph does not apply to any portion of Appleton avenue between its intersection with Lisbon avenue north of Clarke street and Burleigh street in Milwaukee county.~~

**Vetoed
in Part**

(c) The authority granted by this subsection may be delegated to a traffic officer or to the officer in charge of the maintenance of the highway in question, but no prohibition, limitation or restriction on parking imposed under this section is effective unless official traffic signs or markers or parking meters have been placed or erected indicating the particular prohibition, limitation or restriction except that parking regulations which prohibit, limit or restrict the parking of vehicles for any period longer than 24 consecutive hours, during any hours between 12 midnight and 7 a.m., or any portion thereof or during a snow emergency as determined by the city or village, shall be effective in cities and villages upon a two-thirds vote of their respective governing bodies notwithstanding this subsection and s. 346.02 (7) when official traffic signs have been placed or erected at or reasonably near the corporate limits of such city or village on all state and county trunk highways and connecting highways, as the latter are defined in s. 86.32, informing motorists that 24-hour parking limitations, night parking regulations or snow emergency regulations are in effect in such city or village.

SECTION 1094d. 350.11 (1) of the statutes is renumbered 350.11 (1) (a) and amended to read:

350.11 (1) (a) Except as provided in par. (b) and subs. (2) and (3), any person who violates any provision of this chapter shall forfeit not more than \$250.

SECTION 1094db. 350.11 (1) (b) of the statutes is created to read:

350.11 (1) (b) Except as provided in subs. (2) and (3), any person who violates any provision of this chapter and who, within the last 2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than \$500.

SECTION 1094dd. 350.11 (2) of the statutes is renumbered 350.11 (2) (a) and amended to read:

350.11 (2) (a) Any Except as provided in par. (b), any person who violates s. 350.07 or 350.08 shall forfeit not more than \$200.

SECTION 1094df. 350.11 (2) (b) of the statutes is created to read:

350.11 (2) (b) Any person who violates s. 350.07 or 350.08 and who, within the last 2 years prior to the arrest for the current violation, was 2 or more times previously convicted for violating a provision of this chapter shall forfeit not more than \$400.

SECTION 1094dh. 350.11 (3) (a) 1 of the statutes is amended to read:

350.11 (3) (a) 1. Except as provided under subs. 2 and 3, a person who violates s. 350.101 (1) (a) or (b) or s. 350.104 (5) shall forfeit not less than ~~\$150~~ \$400 nor more than ~~\$300~~ \$550.

SECTION 1094dj. 350.12 (4) (b) 1 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

350.12 (4) (b) 1. State aids and funds for maintenance costs shall be 100% of the actual cost of maintaining the trail per year up to a ~~\$165~~ \$200 per mile per year maximum, except as provided in pars. (bg) to (br). Qualifying trails are trails approved by the board as snowmobile trails. State aid for the cost of the purchasing or leasing of land and the acquisition of easements, permits or other agreements may equal 100% of acquisition expense. Aids for major reconstruction or rehabilitation projects to improve bridges may equal 100% of eligible costs. Development shall begin the same year the land is acquired. Moneys available for development shall be distributed on a 100% grant basis, 75% at the time of approval but no later than January 1 and 25% upon completion of the project. A county application may include a request for purchasing or leasing land or acquiring easements, permits or other agreements for the use of land, and for aids for development or maintenance of trails, including the purchase of liability insurance. Trail routes, sizes and specifications shall be prescribed only by the board.

SECTION 1094dk. 350.12 (4) (bg) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

350.12 (4) (bg) *Supplemental trail aid payments.* Of the moneys appropriated under s. 20.370 (4) (bt), the department shall make available in fiscal year ~~1991-92~~ 1992-93 and each fiscal year thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2 to make payments to the department or a county under par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the

maximum specified under par. (b) 1 before expending any of the amount for the other purposes specified in par. (b).

SECTION 1094dm. 350.12 (4) (bm) 1 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

350.12 (4) (bm) 1. The actual cost incurred by the department or the county in maintaining its trails that are qualified under par. (b) 1 or 4 in a the previous fiscal year exceeds the maximum of ~~\$165~~ \$200 per mile per year under par. (b) 1.

SECTION 1094dp. 350.18 (2) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

350.18 (2) ~~Except as provided in s. 350.12 (1), any~~ Any county, town, city or village may enact an ordinance that is in strict conformity with this chapter ss. 350.02 to 350.05, 350.07 to 350.107, 350.11, 350.13, 350.135, 350.15 to 350.17, 350.19 and 350.99.

~~SECTION 1094e. 409.402 (3) (bm) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

SECTION 1094fb. 409.403 (5) (a) 1 of the statutes is amended to read:

409.403 (5) (a) 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is ~~\$6~~ \$8 if the statement is ~~in~~ on the standard form prescribed by the secretary of state and ~~otherwise is an additional \$2 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1.~~ The fee for each name more than one required to be indexed is \$2. The secured party may show a trade name for any person and an extra indexing fee of \$2 shall be paid with respect thereto is \$16 if the statement is not on the standard form or if additional pages are attached to the standard form. The fee for filing an original financing statement subject to s. 409.402 (5) is \$10 if the statement is on the standard form and is \$20 if the statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fd. 409.403 (5) (a) 1m of the statutes is amended to read:

409.403 (5) (a) 1m. ~~If the fees under subd. 1 are paid, there~~ There is no fee for processing the termination statement.

SECTION 1094ff. 409.403 (5) (a) 2 of the statutes is amended to read:

409.403 (5) (a) 2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is ~~\$4~~ \$5 if the amendment or statement is ~~in~~ on the standard form prescribed by the secretary of state and ~~otherwise is an additional \$1 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1.~~ The fee for each name more than one required to be indexed is \$1. The secured party may show a trade name for any person and an extra indexing fee of \$1 shall be paid with respect thereto is \$10 if the amendment or state-

Vetoed
in Part

ment is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fh. 409.403 (5) (b) 1 of the statutes is amended to read:

409.403 (5) (b) 1. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement is ~~\$6~~ \$8 if the statement is ~~in~~ on the standard form prescribed by the secretary of state and ~~otherwise is an additional \$2 per page. The fee for each name more than one required to be indexed is \$2. The secured party may show a trade name for any person and an extra indexing fee of \$2 shall be paid with respect thereto~~ is \$16 if the statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fj. 409.403 (5) (b) 1m of the statutes is amended to read:

409.403 (5) (b) 1m. ~~If the fees under subd. 1 are paid, there~~ There is no fee for processing the termination statement.

SECTION 1094fm. 409.403 (5) (b) 2 of the statutes is amended to read:

409.403 (5) (b) 2. The fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an amendment or a continuation statement is ~~\$4~~ \$5 if the amendment or statement is ~~in~~ on the standard form prescribed by the secretary of state and ~~otherwise is an additional \$1 per page. The fee for each name more than one required to be indexed is \$1. The secured party may show a trade name for any person and an extra uniform indexing fee of \$1 shall be paid with respect thereto~~ is \$10 if the amendment or statement is not on the standard form or if additional pages are attached to the standard form.

SECTION 1094fp. 409.404 (3) (a) of the statutes is amended to read:

409.404 (3) (a) *Fees for filing a termination statement with the office of the register of deeds.* There is no fee for a termination statement that is filed with the office of the register of deeds and there is no fee for indexing any name in connection with the termination process ~~if fees are paid under s. 409.403 (5) (a) 1, or if the fees were paid under s. 409.405 (1) on or after September 1, 1985.~~

SECTION 1094fr. 409.404 (3) (b) of the statutes is amended to read:

409.404 (3) (b) *Fees for filing a termination statement with the office of the secretary of state.* There is no fee for a termination statement which is filed with the office of the secretary of state and there is no fee for indexing any name in connection with the termination process ~~if fees are paid under s. 409.403 (5) (b) 1, or if the fees were paid under s. 409.405 (1) on or after January 1, 1978.~~

SECTION 1094ft. 409.404 (3) (c) of the statutes is repealed.

SECTION 1094fv. 409.405 (1) of the statutes is amended to read:

409.405 (1) An original financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in s. 409.403 (4). The fee for filing, indexing and stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement so indicating an assignment is ~~\$6~~ \$8 if the statement is ~~in~~ on the standard form prescribed by the secretary of state and ~~otherwise is an additional \$2 per page, plus in each case, if the financing statement is subject to s. 409.402 (5), \$1. The fee for each name more than one required to be indexed is \$2. The secured party may show a trade name for any person if the secured party pays an additional indexing fee of \$2~~ is \$16 if the statement is not on the standard form or if additional pages are attached to the standard form. The fee for filing an original financing statement indicating an assignment and subject to s. 409.402 (5) is \$10 if the statement is on the standard form and is \$20 if the statement is not on the standard form or if additional pages are attached to the standard form. A register of deeds shall forward \$2 to the office of the secretary of state for each original financing statement indicating an assignment of a security interest that is filed with the office of the register of deeds.

SECTION 1094fx. 409.405 (1m) of the statutes is amended to read:

409.405 (1m) ~~If the fees under sub. (1) are paid, there~~ There is no fee for processing the termination statement.

SECTION 1094gb. 409.405 (2) of the statutes is amended to read:

409.405 (2) A secured party may assign of record all or part of his or her rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. The officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like, including oil and gas, or accounts subject to s. 409.103 (5), the officer shall index the assignment under the name of the assignor

as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, the officer shall index the assignment of the financing statement under the name of the assignee. The fee for filing, indexing and furnishing filing data about such a separate statement of assignment is \$4 ~~\$5~~ if the statement is ~~in on~~ the standard form prescribed by the secretary of state and otherwise is \$6. ~~In each case an additional fee of \$1 for each name more than one against which the statement of assignment is required to be indexed and for each statement of assignment filed in the office of the register of deeds subject to s. 409.402 (5) is \$10 if the statement is not on the standard form or if additional pages are attached to the standard form.~~ A register of deeds shall forward \$2 to the office of the secretary of state for each statement of assignment filed with the office of the register of deeds. Notwithstanding this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing under s. 409.402 (6) may be made only by an assignment of the mortgage in the manner provided by the law of this state other than chs. 401 to 409.

SECTION 1094gd. 409.406 of the statutes is amended to read:

409.406 Release of collateral; duties of filing officer; fees. A secured party of record may by his or her signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with s. 409.405 (2), including payment of the required fee. Upon presentation of such a statement of release to the filing officer, the officer shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of the financing statement. The fee for filing and noting such a statement of release is \$4 ~~\$5~~ if the statement is ~~in on~~ the standard form prescribed by the secretary of state and otherwise is \$6. ~~In each case an additional fee of \$1 for each name more than one against which the statement of release is required to be indexed and for each statement of release filed in the office of the register of deeds subject to s. 409.402 (5) is \$10 if the statement is not on the standard form or if additional pages are attached to the standard form.~~ A register of deeds shall forward \$2 to the office of the secretary of state for each statement of release filed with the office of the register of deeds.

SECTION 1094gf. 409.407 (2) (a) of the statutes is amended to read:

409.407 (2) (a) Upon the oral request of any person, the filing officer shall disclose orally at the time of

the request or as soon thereafter as possible any presently effective statement naming a particular debtor and if there is such a statement, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such the information may not exceed \$5, plus \$1 for each statement disclosed is \$10. Upon the further oral request for a copy of a statement disclosed orally, the filing officer shall furnish a copy for an additional copies for a fee of \$1 per page.

SECTION 1094gh. 409.407 (2) (b) of the statutes is amended to read:

409.407 (2) (b) Upon request of any person, the filing officer shall issue a certificate showing whether there is on file on the date and hour stated therein, any presently effective statement naming a particular debtor and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for such a certificate is \$5, plus \$1 for each statement reported therein \$10. Upon request the filing officer shall furnish a certified copy certificate and copies of any filed statement for a uniform fee of \$1 for each page of the copied statement plus 50 cents for the certificate.

~~SECTION 1094m. 421.103 (4) of the statutes is amended to read:~~

~~421.103 (4) Chapters 421 to 427 shall not preempt the administration or enforcement of ch. 100 or 130. Conduct proscribed under s. 423.301, 426.108, 426.109 or 426.110 may also constitute violations of s. 100.18 or 100.20, 130.07 or 130.09.~~

Vetoed
in Part

SECTION 1095e. 440.05 (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

440.05 Standard fees. (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.41, 440.51, 440.85, 442.06, 444.03, 444.05, 444.11, 449.17, 449.18, 459.33 and 459.46:

SECTION 1095f. 440.08 (2) (a) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.41, 440.51, 440.85, 442.04, 442.06, 444.03, 444.05, 444.11, 448.065, 449.17, 449.18, 459.24, 459.33 and 459.46, the renewal dates and renewal fees for credentials are as follows:

SECTION 1095g. 440.23 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.41 (2) (c), (5) or (7), 440.85 (2) (c), 444.03, 444.05, 444.11, 459.24 (5) or (6) (c), 459.28 (1), 459.32 (3) or 459.46 (2) (b) by check and the check is not paid by the bank upon which the check is drawn, the department may cancel the credential on or after the 60th day after the department receives the notice from the bank, subject to sub. (2).

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SECTION 1095gm. 440.26 (5) of the statutes is amended to read:

440.26 (5) EXEMPTIONS; PRIVATE SECURITY PERMIT. This section does not apply to any person employed, directly or indirectly by the state or municipality as defined in s. 345.05 (1) (c), or to any employe of a railroad company under s. 192.47, or employes of commercial establishments, who operate exclusively on their premises. An employe of any licensed agency doing business in this state as a supplier of uniformed security personnel to patrol exclusively on the private property of industrial plants, business establishments, schools, colleges, hospitals, sports stadiums, exhibits and similar activities are exempt from the license requirements of this section while engaged in such employment, if the person obtains a private security permit under this section. The agency shall furnish upon request an up-to-date record of its employes to the chief of police or other local law enforcement official designated by the department for the municipality wherein such activities take place. Such record shall include the name, residence address, date of birth and a physical description of each such employe together with a recent photograph and 2 fingerprint cards bearing a complete set of fingerprints of the employe, and, subject to ss. 111.321, 111.322 and 111.335, no person shall be eligible for a private security permit who has been convicted in this state or elsewhere of a felony within 5 years preceding application. The agency shall notify the chief of police or other designated official in writing within 5 days of any change of the residence address or of the termination of employment of such person. A private security permit shall be issued or denied within 48 hours of application by the chief of police or other designated official. The permit shall remain valid unless for just cause revoked by the chief of police or other designated official issuing the permit for just cause. Upon denial or revocation of a permit, appeal may be taken to the department. ~~For each application for a private security permit filed with the~~ The chief of police or other designated official may charge the agency shall remit a fee of \$2 to the municipality not more than \$10 for issuing the permit.

SECTION 1095h. Subchapter VII (title) of chapter 440 of the statutes is renumbered chapter 564 (title).

SECTION 1095i. 440.85 of the statutes is renumbered 564.02, and 564.02 (2) (a), (b) (intro.) and (d) to (f), (3) (c) and (4), as renumbered, are amended to read:

564.02 (2) (a) No person in this state who owns a crane game may set up for the purposes of play, permit a crane game to be set up for the purposes of play or collect the proceeds of a crane game which is set up for the purposes of play unless the person is registered by the ~~department commission~~ and unless an identification number issued by the ~~department commission~~ is affixed to each such crane game owned by the person.

(b) (intro.) Every person specified under par. (a) shall file with the ~~department commission~~, on application forms prescribed by the ~~department commission~~ and signed by the person, all of the following information:

(d) Upon receipt of the application and fee under pars. (b) and (c), the ~~department commission~~ shall, if the ~~department~~ deems commission considers the applicant qualified, issue a certificate of registration for the applicant and an identification number for each crane game for which registration is requested.

(e) The registration issued under par. (d) shall remain in effect unless it is canceled by the ~~department commission~~ with the advice and consent of the department of justice or unless it is withdrawn by the registered person.

(f) Every person registered under this section shall notify the ~~department commission~~ of any change in the information required to be furnished by the person under par. (b), within 10 days following the change.

(3) (c) The ~~department of regulation and licensing commission~~ shall reimburse the department of justice for the services of the department of justice under this subsection.

(4) SEIZURE AND SALE. The department of justice may seize any crane game owned by a person who is convicted under sub. (5) and may sell the crane game in the name of the state. The department of justice and its agents are exempt from all liability to the owner of the crane game for the seizure or sale of the crane game. The ~~department of regulation and licensing commission~~ shall reimburse the department of justice for the services of the department of justice under this subsection.

SECTION 1095j. 440.91 (1) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

440.91 (1) Except as provided in sub. (6m), every cemetery authority that sells or solicits the sale of a total of 10 or more cemetery lots or mausoleum spaces during a calendar year and that pays any commission or other compensation to any person, including its officers, members or stockholders, for selling or soliciting the sale of its cemetery lots or mausoleum spaces shall register with the department. The registration shall be in writing and shall include the names of the officers of the cemetery authority.

SECTION 1095jm. 440.91 (2) (intro.) of the statutes, as affected by 1989 Wisconsin Act 307, is amended to read:

440.91 (2) (intro.) Except as provided in subs. (7) and (10), every individual who sells or solicits the sale of, or who expects to sell or solicit the sale of, a total of 10 or more cemetery lots or mausoleum spaces during a calendar year shall register with the department. An individual may not be registered as a cemetery salesperson except upon the written request of a cemetery authority and the payment of the fee specified in s. 440.05 (1). The cemetery authority shall certify in writing to the department that the individual is com-

petent to act as a cemetery salesperson. Within 10 days after the certification of any cemetery salesperson, the cemetery salesperson shall verify and furnish to the department, in such form as the department prescribes, all of the following information:

SECTION 1095k. 440.92 (1) (a) of the statutes is amended to read:

440.92 (1) (a) Except as authorized under provided in subs. (4) and, (9) (a) 1 and (10), every individual who sells or solicits the sale of cemetery merchandise or an undeveloped space under a preneed sales contract and, if the individual is employed by or acting as an agent for a cemetery authority or any other person, that cemetery authority or other person is required to be registered under this subsection.

Vetoed in Part

SECTION 1095m. 440.92 (6) (d) of the statutes is amended to read:

440.92 (6) (d) All records described under pars. (b) 2 and (c) and maintained by the department are confidential and are not available for inspection or copying under s. 19.35 (1) (g).

Vetoed in Part

SECTION 1095n. 440.92 (7) of the statutes is amended to read:

440.92 (7) APPROVAL OF WAREHOUSES. No person may own or operate a warehouse unless the warehouse is approved by the department. Upon application, the department shall approve a warehouse that is located in this state if the person who operates the warehouse is licensed as a public warehouse keeper by the department of agriculture, and trade and consumer protection under ch. 99, but may not approve a warehouse that is located in this state unless the person is so licensed. The department shall promulgate rules establishing the requirements for approval of warehouses that are located outside this state. The rules shall require warehouses that are located outside this state to file with the department a bond furnished by a surety company authorized to do business in this state in an amount that is sufficient to guarantee the delivery of cemetery merchandise to purchasers under preneed sales contracts. The department shall compile and keep a current list of the names and addresses of all warehouses approved under this subsection and shall make the list available for public inspection during the times specified in s. 230.35 (4) (f).

SECTION 1095r. 440.92 (10) of the statutes is created to read:

440.92 (10) EXEMPTIONS; CERTAIN NONPROFIT CEMETERIES. This section does not apply to a cemetery authority that is not required to be registered under s. 440.91 (1) and that is not organized or conducted for pecuniary profit.

Vetoed in Part

SECTION 1096g. 553.03 (5m) (c) of the statutes is amended to read:

553.03 (5m) (c) Amounts paid in connection with trading stamp promotions permitted under s. ~~400.15~~ 130.15 by a person issuing trading stamps in connection with the retail sale of merchandise or service.

SECTION 1096i. 553.78 of the statutes is amended to read:

Vetoed in Part

553.78 Preemption. This chapter shall not preempt the administration of ch. 96, 100, 125, 130, 133, 168 or 218. False, fraudulent and deceptive practices in connection with the offer, purchase or sale of a franchise defined by rule of the commissioner under s. 553.58 (1) may also constitute unfair methods of competition in business or unfair trade practices in business under s. ~~100.20 (4) (f) or 130.09 (2)~~ or fraudulent advertising under s. ~~100.10~~ 130.07.

SECTION 1097g. 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 describe the allocation of funds 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, and 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.

SECTION 1097i. 560.07 (6) of the statutes is amended to read:

560.07 (6) The secretary shall annually meet with the secretary of agriculture, and trade and consumer protection to mutually agree on any joint program efforts.

SECTION 1098m. 560.165 (7m) (f) 6 of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

560.165 (7m) (f) 6. A procedure to coordinate the export development loan program with other programs administered by the department or the department of agriculture, and trade and consumer protection, which deal with international trade.

SECTION 1099. 560.194 (2) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

560.194 (2) (intro.) The department shall make a grant of \$50,000 \$250,000 from the appropriation

under s. 20.143 (1) (cm) to the Milwaukee economic development corporation to operate a capital access program if all of the following apply:

Vetoed in Part SECTION 1099a. 560.33 of the statutes is created to read:

560.33 American Indian tourism promotion. (1) In collaboration with the Great Lakes inter-tribal council, the department shall do all of the following:

(a) Coordinate the promotion of American Indian tourism activities in this state, making the greatest use possible of existing resources in promoting American Indian tourism activities.

(b) Prepare and distribute promotional materials and information regarding American Indian tourism activities in this state.

(c) Support and assist the American Indian tourism promotion activities of tribal governing bodies, American Indian tourism facilities and associations of persons with an interest in the promotion of American Indian tourism.

(2) The department may not promote commercial gaming or gambling activity under this section.

SECTION 1099b. 560.602 of the statutes is created to read:

560.602 Policies and standards for awarding grants and loans. The department, with the approval of the board, shall promulgate rules to establish policies and standards for awarding grants and loans under this subchapter. The rules shall include all of the following:

(1) A statement of the department's economic development policy that is consistent and coordinated with economic development policies expressed in the statutes and established by other state agencies.

Vetoed in Part (2) Provisions giving a preference to projects with substantial potential for economic growth and job creation.

(3) Provisions giving loans a preference over grants for projects intended primarily to increase economic growth and create new jobs within this state.

(4) Procedures for awarding grants and loans based on a comparison of the merits of each application.

(5) Provisions for the development of a biennial plan for awarding grants and loans under this subchapter, before the commencement of each odd-numbered fiscal year, and for the submission of the biennial plan to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 1099c. 560.605 (5m) of the statutes is created to read:

560.605 (5m) The board shall give priority for grants or loans under this section to eligible recipients that certify that they give priority or will give priority in hiring employes to recipients of aid to families with dependent children under s. 49.19.

Vetoed in Part SECTION 1099d. 560.605 (6) and (7) of the statutes are created to read:

Vetoed in Part 560.605 (6) (a) For the first 6 months of each fiscal year, the board shall reserve 50% of the funds appropriated under s. 20.143 (1) (b), (g) and (s) and 25% of the funds appropriated for the biennium under s. 20.143 (1) (c) solely to award grants and loans under par. (b).

(b) For the first 6 months of each fiscal year, the board shall award a grant or loan from the funds reserved under par. (a) to any business that satisfies all of the following conditions:

1. Employs, together with all of its affiliates, subsidiaries and parent companies, no more than 50 employes.

2. Submits an application that otherwise meets the criteria under this subchapter.

(7) Notwithstanding sub. (6), the board may award from the funds reserved under sub. (6) (a) a grant or a loan for a project entered into by a business that does not meet the criteria under sub. (6) (b) 1 if all of the following apply:

(a) The board finds that the project otherwise meets the criteria under this subchapter.

(b) The project will likely be located in another state if the grant or loan is not provided.

(c) The project will likely provide long-term economic opportunities for small businesses in this state, or a significant number of layoffs will likely occur in this state.

(d) The board approves the grant or loan by unanimous vote.

(e) The governor approves the grant or loan.

SECTION 1099f. 560.64 (2) (intro.) of the statutes is amended to read:

560.64 (2) (intro.) The board may award a grant or loan not exceeding \$250,000 under s. 560.61 to a non-profit business development organization to fund the initial development and operation or the expansion of a proposed technology-based incubator, including equipment purchases, building acquisition and rehabilitation costs and, for a technology-based incubator being initially developed, staff costs, after considering all of the following:

SECTION 1099g. 560.64 (2) (a) of the statutes is amended to read:

560.64 (2) (a) The qualifications of the proposed technology-based incubator's management and staff.

SECTION 1099h. 560.64 (2) (g) of the statutes is amended to read:

560.64 (2) (g) The financial viability of the proposed technology-based incubator.

SECTION 1099L. 560.65 (1m) (b) of the statutes is amended to read:

560.65 (1m) (b) The board may not award Before making a loan under par. (a) 1 unless it determines that, the board shall consider whether the production funded is consistent with the priorities established under s. 159.03 (1) (b) for the development of markets for materials recovered from solid waste that are in effect on January 1 of the year in which the business

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submits a complete application for a loan under this section to the department.

SECTION 1099Lb. 560.68 (5m) and (7) of the statutes are created to read:

560.68 (5m) The department, with the approval of the board, shall establish and implement procedures for monitoring the use of grants and loans awarded under this subchapter, including procedures for verification of economic growth, job creation and the number and percentage of newly created jobs for which state residents are hired.

(7) The department, in cooperation with the board, shall encourage small businesses to apply for grants and loans under this subchapter by ensuring that there are no undue impediments to their participation and by actively encouraging small businesses to apply for grants and loans. The department shall do all of the following:

(a) Publish and disseminate information about the projects under ss. 560.62 to 560.66 and the procedures for applying for grants and loans.

(b) Simplify the application and review procedures for small businesses so that they will not impose unnecessary administrative burdens on small businesses.

(c) Assist small businesses in preparing applications for grants and loans.

SECTION 1099Ld. 560.82 (4) (a) of the statutes is amended to read:

560.82 (4) (a) Award, ~~as the a total amount of grants made under sub. (1),~~ of more than \$50,000 in a fiscal biennium from the appropriation under s. 20.143 (1) (fm) for grants under sub. (1).

SECTION 1099Lf. 560.835 (1) (c) of the statutes is amended to read:

560.835 (1) (c) The development and operation of a facility to process materials recovered from a solid waste management program that complies with s. 159.07 (1m), (3) or (4) or the development and operation of a solid waste collection business if the solid waste collected is used in the production of a product.

SECTION 1099Lh. 560.835 (4) of the statutes is amended to read:

560.835 (4) ~~The board or a local development corporation may not award~~ Before making a grant or loan under this section ~~unless it determines that, the board shall consider whether~~ the recycling development project is consistent with the priorities established under s. 159.03 (1) (b), that are in effect on January 1 of the year in which the eligible recipient submits a complete application for a grant or loan under this section.

SECTION 1099Lj. 560.835 (6) of the statutes is created to read:

560.835 (6) Subject to s. 560.82, the department may award a grant from the appropriation under s. 20.143 (1) (u) for an early planning project for an activity described in sub. (1) (a) to (d). The total

amount of grants for early planning projects awarded under this subsection may not exceed \$50,000 during a fiscal biennium.

~~SECTION 1099Lj. 560.875 (1) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read: 560.875 (1) Annually, the department shall grant to the Great Lakes intertribal council the amount appropriated under s. 20.143 (1) (df) to fund a program to provide technical assistance for economic development on Indian reservations if the conditions under subs. (2) to (4) and (3) are satisfied.~~

~~SECTION 1099Lj. 560.875 (2) (d) of the statutes is created to read:~~

~~560.875 (2) (d) The program may not provide technical assistance for a commercial gaming and gambling activity.~~

~~SECTION 1099Lj. 560.875 (4) of the statutes, as created by 1991 Wisconsin Act 39, is repealed.~~

~~SECTION 1099Lm. 560.92 (1) of the statutes is amended to read:~~

~~560.92 (1) The department shall promote this state's science and technology assets in cooperation with Forward Wisconsin, Inc. and the department of agriculture, and trade and consumer protection.~~

SECTION 1099m. Chapter 561 of the statutes is created to read:

CHAPTER 561

GAMING COMMISSION

561.01 Definitions. In chs. 561 to 569:

- (1) "Administrative services division" means the administrative services division in the commission.
- (2) "Commission" means the gaming commission.
- (3) "Gaming security division" means the gaming security division in the commission.
- (4) "Lottery division" means the lottery division in the commission.
- (5) "Racing division" means the racing division in the commission.

561.02 General powers and duties of commission.

The commission shall coordinate and regulate all activities relating to transfers under 1991 Wisconsin Act (this act) to the commission of assets, liabilities, positions, furniture, equipment, supplies, records, contracts, rules, orders and pending matters of and amounts receivable by the lottery board, the racing board, the bingo control board and the department of regulation and licensing.

561.04 Administrative services division. The administrative services division shall provide budgetary, personnel, business management, data processing, centralized record maintenance and legal services for the commission.

561.06 Gaming security division. The gaming security division shall do all of the following:

- (1) Provide all of the security services for the gaming operations under chs. 562 to 569.
- (2) Monitor the regulatory compliance of gaming operations under chs. 562 to 569.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(3) Audit the gaming operations under chs. 562 to 569.

(4) Investigate suspected violations of chs. 562 to 569.

(5) Report suspected gaming-related criminal activity to the division of criminal investigation in the department of justice for investigation by that division.

(6) If the division of criminal investigation in the department of justice chooses not to investigate a report under sub. (5), coordinate an investigation of the suspected criminal activity with local law enforcement officials and district attorneys.

561.08 Racing division. The racing division shall do all of the following:

(1) Advise the commission on policy making and rule making relating to races, wagering, licenses, contracts, marketing and sales activities under ch. 562.

(2) Under the direction of the commission, administer the requirements under ch. 562.

561.10 Lottery division. The lottery division shall do all of the following:

(1) Advise the commission on policy making and rule making relating to lottery games, contracts, marketing and sales activities under ch. 565.

(2) Under the direction of the commission, administer the requirements under ch. 565.

561.12 Charitable gaming and crane games. The commission shall establish a separate subunit in the commission to do all of the following:

(1) Advise the commission on policy making and rule making relating to the conduct of bingo and raffles under ch. 563, and to the play and regulation of crane games under ch. 564.

(2) Under the direction of the commission, administer the requirements under chs. 563 and 564.

561.14 Indian gaming. The commission shall establish a separate subunit in the commission to perform the duties and functions of the commission under ch. 569.

SECTION 1099mm. 561.02 of the statutes, as created by 1991 Wisconsin Act (this act), is repealed and recreated to read:

561.02 General powers and duties of commission. The commission shall coordinate and regulate all activities relating to, and promulgate all rules relating to, racing and pari-mutuel wagering conducted under ch. 562, bingo and raffles conducted under ch. 563, crane games conducted under ch. 564 and the state lottery conducted under ch. 565, and shall perform its duties and functions under ch. 569 regarding Indian gaming.

SECTION 1099n. 562.01 (1) of the statutes is renumbered 562.01 (1m).

SECTION 1099no. 562.01 (1) of the statutes is created to read:

562.01 (1) "Administrator" means the administrator of the racing division.

SECTION 1099p. 562.01 (2) of the statutes is repealed.

SECTION 1099q. 562.01 (4) of the statutes is repealed.

~~SECTION 1099qg. 562.01 (8r) of the statutes is created to read.~~

~~562.01 (8r) "Ownership and operation of a racetrack" means owning a racetrack and having primary responsibility for any of the following:~~

~~(a) The security of the racetrack, including the buildings, grounds, kennels, and all physical property of the racetrack other than the money at the racetrack which is generated by pari-mutuel wagering activity.~~

~~(b) The care, upkeep and repair of the grounds and buildings of the racetrack and the performance or supervision of all maintenance necessary to the upkeep of the racetrack, including compliance with applicable state and local safety and building codes.~~

~~(c) Contracting for the food and beverage services that are needed or provided at a racetrack during the daily operation of the racetrack, offering those food and beverage services to members of the public and obtaining all necessary permits and licenses to sell or distribute the food and beverages.~~

~~(d) The administration of admission procedures for persons who come to the racetrack for the purpose of engaging in pari-mutuel wagering and of procedures that apply to persons who engage in pari-mutuel wagering at the racetrack.~~

~~(e) Accounting and bookkeeping functions that are needed to do payroll for employees of the racetrack, making required payments for federal income tax withholdings on the income of racetrack employees in a timely manner or obtaining or paying accounting and financial burdens imposed upon the owner and operator of the racetrack by federal, state and local governmental agencies.~~

~~SECTION 1099qr. 562.01 (13m) of the statutes is created to read:~~

~~562.01 (13m) "Sponsorship and management of a race" means having primary responsibility for any of the following:~~

~~(a) Advertising or otherwise promoting the activity of pari-mutuel wagering on a race held at a racetrack.~~

~~(b) The daily operation of pari-mutuel wagering on races held at a racetrack.~~

~~(c) The security required to conduct pari-mutuel wagering, including the security required at the wagering windows and at other locations, the safety of the money collected as wagers and paid out as prizes, the security required to control and eliminate employee theft, fraud or embezzlement, and the security of the tangible items needed and used to conduct pari-mutuel wagering.~~

~~(d) Setting a race day or the number of races that will be held on a race day, conducting a race, or seeking the required approval under this chapter to set a race day or the number of races that will be held on a race day or to conduct a race.~~

Vetoed
in Part

Vetoed
in Part

~~(e) Contracting with an adequate number of owners or lessees of animals to ensure that the required number of races will be held on each race day.~~

~~(f) Ensuring in accordance with the requirements of this chapter the humane treatment of all animals that are involved in a race.~~

SECTION 1099r. 562.01 (14) of the statutes is amended to read:

562.01 (14) "Steward" means any person appointed, contracted for or approved by the board commission under s. 562.02 (1) (fm).

SECTION 1099s. 562.02 (title) and (1) (intro.) and (a) of the statutes are amended to read:

562.02 (title) Racing operations. (1) (intro.) The board commission shall:

(a) Regulate racing and on-track pari-mutuel wagering in this state and shall promulgate all rules necessary to administer this chapter. The board commission shall do everything necessary to ensure that the public interest is protected in relation to racing.

SECTION 1099t. 562.02 (1) (am) (intro.) of the statutes is amended to read:

562.02 (1) (am) (intro.) Administer the issuance of licenses. The board commission may not issue any license under s. 562.05 (1) (a) to (c) without a hearing. The board commission shall determine which occupations related to racing require licensing, except that the board commission shall require licenses for the following:

SECTION 1099u. 562.02 (1) (d) of the statutes is amended to read:

562.02 (1) (d) Require by rule that any contract in excess of \$10,000 for the provision of goods and services, including but not limited to concessions contracts, entered into by any licensee, be subject to the approval of the board commission and that all contracts for \$10,000 or less shall be filed with the board commission.

SECTION 1099v. 562.02 (1) (f) of the statutes is amended to read:

562.02 (1) (f) Establish, by rule, a schedule of license suspensions and revocations or forfeitures for violations of this chapter or board commission rules which may be imposed by the board commission under sub. (2) (f) or by the stewards under s. 562.04 (1) (b). A forfeiture under that schedule may not exceed \$10,000. The rule shall include factors to be considered by stewards in acting under s. 562.04 (1) (b).

SECTION 1099w. 562.02 (1) (h) of the statutes is amended to read:

562.02 (1) (h) By rule, specify the types of records and books to be maintained by licensees, and, for submission to the board commission, the type of audit of those books and records to be conducted by licensees and the type of financial report to be prepared by licensees.

SECTION 1100e. 562.02 (2) (intro.), (a) and (b) of the statutes are amended to read:

562.02 (2) (intro.) The board commission may:

(a) Employ the staff it deems necessary to administer this chapter, including but not limited to any chemist and veterinarian. The board commission may not contract for the services of any veterinarian or chemist unless the veterinarian or chemist has not had a conflict of interest under s. 562.025 (2) at any time during the 12 months immediately preceding the date on which the contract for such services is entered into.

(b) Require a fidelity bond for the director administrator and any other employe of the board racing division or may purchase a bond which covers the director administrator and all other employes of the board racing division or designated employes of the board racing division.

SECTION 1100f. 562.02 (2) (e) 3 of the statutes is amended to read:

562.02 (2) (e) 3. Is determined by the board commission to be a threat to the integrity of racing in this state.

SECTION 1101c. 562.02 (2) (f) of the statutes is amended to read:

562.02 (2) (f) Suspend or revoke any license or impose a forfeiture for any violation of this chapter or board rules. The board may suspend or revoke an occupational license issued under s. 562.05 (1) (d) or impose a forfeiture on that licensee under this paragraph if the stewards do not hold a meeting under s. 562.04 (1) (b) or hold a meeting but do not suspend the license or impose a forfeiture. Upon appeal, the board may change any action of the stewards under s. 562.04 (1) (b). Fifty percent of the moneys received under this paragraph shall be deposited in the appropriation appropriations under ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1101cd. 562.02 (2) (f) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.02 (2) (f) Suspend or revoke any license or impose a forfeiture for any violation of this chapter or commission rules. The commission may suspend or revoke an occupational license issued under s. 562.05 (1) (d) or impose a forfeiture on that licensee under this paragraph if the stewards do not hold a meeting under s. 562.04 (1) (b) or hold a meeting but do not suspend the license or impose a forfeiture. Upon appeal, the commission may change any action of the stewards under s. 562.04 (1) (b). Fifty percent of the moneys received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

~~SECTION 1101eg. 562.02 (2) (fm) of the statutes is amended to read:~~

~~562.02 (2) (fm) Contract with the department of agriculture and trade and consumer protection for any services related to the duties of the board in ensuring the security and humane treatment of animals.~~

Vetoed
in Part

Vetoed in Part SECTION 1101cj. 562.02 (2) (fm) of the statutes, as affected by 1991 Wisconsin Act 11 (this act), is repealed and recreated to read:

Vetoed in Part 562.02 (2) (fm) Contract with the department of agriculture and trade for any services related to the duties of the commission in ensuring the security and humane treatment of animals.

SECTION 1101cm. 562.02 (2) (g) of the statutes is amended to read:

562.02 (2) (g) Create a 5-member advisory council, with members representing the racing industry and occupations licensed under s. 562.05 (1) (d), to advise the board commission on the administration of its powers and duties under this chapter. No member of that council may be reimbursed for any expense incurred in the performance of his or her duties or for any service as a member of that advisory council.

SECTION 1101e. 562.02 (3) of the statutes is repealed.

SECTION 1101f. 562.02 (4) of the statutes is amended to read:

562.02 (4) Except as provided under s. 562.05 (2m), the board commission shall issue a license under s. 562.05 (1) (a) to any person who satisfies the requirements of this chapter for such a license.

SECTION 1101g. 562.025 (1) (intro.) of the statutes is amended to read:

562.025 (1) (intro.) No board commission member or employe and no member of a board commission member's or employe's immediate family, as defined in s. 19.42 (7), may, while that board commission member or employe is serving as a board commission member or employe or for 2 years following the termination of the membership or employment of that board commission member or employe, do any of the following:

SECTION 1101h. 562.025 (1) (e) of the statutes is amended to read:

562.025 (1) (e) Accept or agree to accept money or any thing of value from anyone who holds a license or who is regulated by or holds any contract to supply goods or services to the board commission.

SECTION 1101i. 562.025 (2) (intro.) and (a) of the statutes are amended to read:

562.025 (2) (intro.) No person under contract with the board commission and no employe of any person under contract with the board commission may do any of the following:

(a) Hold any license, except a license covering the professional services being provided to the board commission, or be employed by or have any direct or indirect interest in any corporation, partnership or association which holds a license.

SECTION 1101j. 562.025 (2) (e) of the statutes is amended to read:

562.025 (2) (e) Accept or agree to accept money or any thing of value from any person who holds a license or who is regulated by the board commission or holds any contract to supply goods or services to

the board commission other than the contract under which the person provides professional services.

SECTION 1101k. 562.03 of the statutes is amended to read:

562.03 (title) Administrator. (1) (a) The ~~governor shall appoint the director of the board, with the advice and consent of the senate.~~ The governor commission shall appoint the ~~director~~ administrator after a nationwide search for persons with experience in public gaming management and regulation and with knowledge of animal racing and pari-mutuel wagering.

(b) Before appointing a ~~director~~ an administrator, the governor commission shall, with the assistance of the department of justice, conduct a background investigation of the proposed ~~director~~ administrator. The governor commission shall require the proposed ~~director~~ administrator to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining any record of his or her criminal arrests and convictions.

(2) The ~~director~~ administrator may employ or provide by contract for the services of stewards, subject to the approval of the board commission. Any steward under a contract under this subsection shall be under a contract with the board commission.

(3) (a) The director commission may employ the staff ~~he or she deems it considers~~ necessary to administer this chapter.

(b) Before making an appointment under par. (a) and sub. (4), the ~~director~~ commission shall conduct a background investigation of the proposed employe and shall require that proposed employe to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining any record of his or her criminal arrest and convictions.

(4) The ~~director~~ administrator shall appoint and supervise a ~~deputy director and an assistant director, to serve outside the classified service at the pleasure of the director, and a director of security, a director of data processing and~~ a chief steward. An appointment under this subsection is subject to the approval of the board.

Vetoed in Part

Vetoed in Part

SECTION 1102e. 562.04 (1) (a) (intro.) and I of the statutes are amended to read:

562.04 (1) (a) (intro.) Three stewards shall preside over races conducted at a racetrack not at a fair. At least 2 of those stewards shall be employes of the board commission or providing services to the board commission under a professional services contract. The rate of compensation of stewards serving under contract to the board commission shall be commensu-

rate with the rate of compensation established for stewards employed by the ~~board~~ commission, but less than the rate established for the chief steward. Stewards presiding over a racetrack shall do all of the following:

1. Ensure that races are conducted under the rules of the ~~board~~ commission.

SECTION 1102m. 562.04 (1) (a) 5 of the statutes is amended to read:

562.04 (1) (a) 5. Perform any other duty assigned by the ~~board~~ commission.

SECTION 1102s. 562.04 (1) (b) (intro.) of the statutes is amended to read:

562.04 (1) (b) (intro.) If one or more stewards have reasonable cause to believe that a person holding a license under s. 562.05 (1) (d) has violated this chapter or rules of the ~~board~~ commission or engaged in any other conduct which in the opinion of the stewards adversely affects the integrity of racing, the following procedures apply:

SECTION 1103d. 562.04 (1) (b) 4 to 6 of the statutes are amended to read:

562.04 (1) (b) 4. If at least 2 stewards determine that the violation or conduct has occurred, the stewards may, under the schedule established by the board under s. 562.02 (1) (f), suspend a license issued under s. 562.05 (1) (d) for a period not to exceed 90 days or impose a forfeiture not to exceed \$2,000 or both; or recommend that the board suspend a license for more than 90 days or impose a forfeiture exceeding \$2,000 or both. Fifty percent of the moneys received under this subdivision shall be deposited in the ~~appropriation~~ appropriations under ~~s. ss.~~ ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

5. After the meeting under subd. 1, the stewards shall submit, in writing, all findings and conclusions from that meeting to the licensee and the ~~board~~ commission, including the sanctions, if any, imposed by the stewards and shall provide the licensee who is the subject of the meeting with a notice of his or her right to appeal the decision under subd. 6. Within 7 days after receiving the decision, the licensee shall pay any forfeitures imposed by the stewards, regardless of whether the decision is appealed or stayed under subd. 6.

6. Any person adversely affected by a decision issued under subd. 4 may appeal that decision to the ~~board~~ commission. The appeal shall be filed with the ~~board~~ commission within 45 days after receipt of that written decision. An appeal does not automatically stay the decision of the stewards. Any person may request that the ~~director~~ administrator stay that decision pending the decision of the ~~board~~ commission on the appeal. If the ~~director~~ administrator receives such a request and determines that the stay will not adversely affect public safety or welfare or the safety or welfare of an animal, the ~~director~~ administrator shall order the stay. The procedure for the appeal under this subdivision is under ch. 227. If part or all of

any forfeiture imposed under subd. 5 is refunded to the licensee under this subdivision, the refund shall include interest calculated at the rate of 9% per year on that amount. The decision of the ~~board~~ commission on the appeal shall be the final administrative decision on any action of the stewards under subd. 4.

SECTION 1103dm. 562.04 (1) (b) 4 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.04 (1) (b) 4. If at least 2 stewards determine that the violation or conduct has occurred, the stewards may, under the schedule established by the commission under s. 562.02 (1) (f), suspend a license issued under s. 562.05 (1) (d) for a period not to exceed 90 days or impose a forfeiture not to exceed \$2,000 or both; or recommend that the commission suspend a license for more than 90 days or impose a forfeiture exceeding \$2,000 or both. Fifty percent of the moneys received under this subdivision shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1103e. 562.04 (2) (intro.) of the statutes is amended to read:

562.04 (2) OTHER RACING OFFICIALS. (intro.) The ~~board~~ commission shall, by rule, specify all of the following:

SECTION 1104am. 562.04 (2) (d) of the statutes is amended to read:

562.04 (2) (d) A fee for the supervision of racing by stewards or other racing officials employed by or under contract with the board. Any moneys received under this paragraph shall be deposited in the ~~appropriation~~ appropriations under ~~s. ss.~~ ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1104b. 562.04 (2) (d) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.04 (2) (d) A fee for the supervision of racing by stewards or other racing officials employed by or under contract with the commission. Any moneys received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1104c. 562.045 (intro.) of the statutes is amended to read:

562.045 (title) Qualifications of administrator, other employes and stewards. Notwithstanding s. 111.321, no person may serve as a ~~director~~ administrator or other ~~board~~ employee of the racing division or as a steward employed by the ~~board~~ commission or under contract with the ~~board~~ commission if any of the following apply:

SECTION 1104e. 562.045 (6) of the statutes is amended to read:

562.045 (6) The person has knowingly violated a rule or order of the ~~board~~ commission or any provision of this chapter, s. 182.020 or ch. 945.

SECTION 1104g. 562.05 (1) (intro.) of the statutes is amended to read:

562.05 (1) (intro.) No person may engage in any of the following activities without a valid annual license issued by the board commission:

SECTION 1104k. 562.05 (1) (d) of the statutes is amended to read:

562.05 (1) (d) Any occupation required to be licensed under s. 562.02 (1) (am) or determined by the board commission under s. 562.02 (1) (am) to require a license.

SECTION 1104m. 562.05 (1b) of the statutes is amended to read:

562.05 (1b) The board commission shall approve and conduct an examination to be administered to all applicants for a license under sub. (1) (d) to be a horse trainer. No license may be issued under sub. (1) (d) to a horse trainer unless the board commission determines that the applicant for the license is qualified as evidenced by the applicant's performance on the examination conducted under this subsection.

SECTION 1104x. 562.05 (1m) and (2) of the statutes are amended to read:

562.05 (1m) The board commission may not issue a license under sub. (1) (a) to (c) except after a public hearing.

(2) The board shall establish, by rule, the qualifications for any license required under sub. (1) and fix the fee for that license and any background investigation under sub. (7) related to that license. Any moneys received under this subsection shall be deposited in the ~~appropriation~~ appropriations under ~~s. ss.~~ ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1104y. 562.05 (2) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.05 (2) The commission shall establish, by rule, the qualifications for any license required under sub. (1) and fix the fee for that license and any background investigation under sub. (7) related to that license. Any moneys received under this subsection shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1105e. 562.05 (2m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.05 (2m) In issuing a license to own and operate a racetrack not at a fair, the board commission shall consider the competitive effects on any other licensee under sub. (1) (a) or (b). These competitive effects shall include, but not be restricted to, the impact on the economic viability of existing licensed racetracks and the jobs that have been created by such licensed racetracks.

SECTION 1105em. 562.05 (3) and (3m) of the statutes are amended to read:

562.05 (3) No person may hold more than one license issued under sub. (1) (a) and one license issued under sub. (1) (b) or (c). If the applicant for any of those licenses is a corporation, association or partner-

ship, the board commission shall determine whether the applicant is the same person as another licensee for the purpose of applying this subsection. Nothing in this subsection prohibits any person with a license under sub. (1) from contracting for services with any other person with a license under sub. (1), subject to any rules promulgated by the board commission.

(3m) The board commission may not accept an application for a license for a race under sub. (1) (c) unless the county board of the county in which that race will be conducted has approved of the applicant's sponsorship and management of that race.

SECTION 1105f. 562.05 (3w) (intro.) of the statutes is amended to read:

562.05 (3w) (intro.) Except as provided under subs. (3) to (3r), the board commission may issue a license under sub. (1) (a) if the board commission determines that all of the following conditions are met:

SECTION 1105fm. 562.05 (3wmr) of the statutes is amended to read:

562.05 (3wmr) If the condition under sub. (2m) is relevant to its decision, the board commission may consider secondary economic impacts of an applicant's proposal for a racetrack if the applicant proves by a preponderance of evidence that the alleged secondary impacts will enhance the success of the applicant's proposed racetrack and the location of the proposed racetrack would compliment existing development with the overall effect of increasing tourism and generating state revenues from out-of-state residents.

SECTION 1105g. 562.05 (3wt) and (4) of the statutes are amended to read:

562.05 (3wt) In the first license issued to each applicant under sub. (1) (a) for each racetrack, the board commission shall specify a date by which each of the types of racing authorized under the license shall begin at that racetrack. Upon request of the licensee, the board commission may change a specified date to an earlier or later date pursuant to rules of the board commission.

(4) Any application for a license to sponsor and manage a race shall be accompanied by a bond, in an amount determined by the board commission, which shall be sufficient to guarantee the payment of fees, taxes and other money due, including animal owners' purses and payouts on winning wagers.

SECTION 1105gm. 562.05 (4m) (intro.) of the statutes is amended to read:

562.05 (4m) (intro.) Except as provided in sub. (4), the board commission may issue a license under sub. (1) (b) if the board commission determines that all of the following conditions are met:

SECTION 1105h. 562.05 (5) (a) 5 and 6 of the statutes are amended to read:

562.05 (5) (a) 5. The person has been convicted of a violation of any law of this or another state or of the United States related to racing, pari-mutuel wagering

or of any other form of gambling which is a serious violation, as defined by the board commission by rule.

6. The person has knowingly violated a rule or order of the board commission or any provision of this chapter or of ch. 27, 182 or 945.

SECTION 1105hm. 562.05 (5) (b) 4 of the statutes is amended to read:

562.05 (5) (b) 4. A restriction under par. (a) 2 to 8 does not apply to a partnership, association or corporation if the board commission determines that the partnership, association or corporation has terminated its relationship with each individual whose actions directly contributed to the application of that restriction to the partnership, association or corporation.

SECTION 1105i. 562.05 (5) (c) 2 of the statutes is amended to read:

562.05 (5) (c) 2. If after the application for a license is made or a license is issued any new officer, director, partner or owner subject to par. (a), as specified in par. (b), or any other new person with a present or future direct or indirect financial or management interest in the application or license joins the applicant or licensee, the applicant or licensee shall, within 5 working days, notify the board commission of the change and provide the affidavit under subd. 1. The board commission shall conduct the background investigations required under sub. (7) of any new officer, director, partner or shareholder of an applicant or licensee named in the notice to the board commission under this subdivision.

SECTION 1105im. 562.05 (6m) (b) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

562.05 (6m) (b) (intro.) The board commission may not issue an intertrack wagering license unless the board commission determines that all of the following conditions are met:

SECTION 1105j. 562.05 (6m) (b) 2 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

562.05 (6m) (b) 2. At least 250 race performances were conducted at the racetrack for which the applicant is licensed under sub. (1) (a) or (b) during the calendar year immediately preceding the year in which the applicant proposes to conduct intertrack wagering. The board commission may waive the requirement in this subdivision if the board commission determines that the waiver is in the public interest.

SECTION 1105jm. 562.05 (6m) (c), (d) and (e) (intro.) of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

562.05 (6m) (c) In considering whether to grant an intertrack wagering license, the board commission shall give due consideration to the best interests of the public and to maximizing revenue to the state.

(d) On each intertrack wagering license that the board commission issues, the board commission shall identify the racetrack at which intertrack wagering

may be conducted, the times and number of days or specific dates, as determined by the board commission, during which intertrack wagering may be conducted, and the host track from which the simulcast of each race performance on which intertrack wagering may be conducted shall originate.

(e) (intro.) The board commission shall revoke an intertrack wagering license if the board commission determines that any of the following applies:

SECTION 1105k. 562.05 (7) (a) (intro.) of the statutes is amended to read:

562.05 (7) (a) (intro.) Except as provided under par. (ag), before the board commission issues a license under this section, the director commission, with the assistance of the department of justice, shall conduct a background investigation of the applicant for the license and of any of the following related to the applicant:

SECTION 1105km. 562.05 (7) (ag) (intro.) of the statutes is amended to read:

562.05 (7) (ag) (intro.) Paragraph (a) (intro.) applies to any person required under s. 562.02 (1) (am) to have a license except for any person determined by the board commission under s. 562.02 (1) (am) to require a license. Before the board commission issues a license to any person determined by the board commission under s. 562.02 (1) (am) to require a license, the director commission may, with the assistance of the department of justice, conduct a background investigation of the applicant for that license and of any of the following related to the applicant:

SECTION 1105L. 562.05 (7) (b) and (bg) of the statutes are amended to read:

562.05 (7) (b) The director commission shall require any person subject to an investigation under par. (a) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of that person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of that person and obtaining any record of that person's criminal arrests and convictions:

(bg) The director commission may require any person subject to an investigation under par. (ag) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of that person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of that person and obtaining any record of that person's criminal arrests and convictions.

SECTION 1105Lm. 562.05 (8) to (10) of the statutes are amended to read:

562.05 (8) (a) The board commission may revoke or suspend a license for good cause after notice and hearing under s. 227.44.

(b) The board commission shall permanently revoke the license of any licensee whom the board

commission determines under par. (a) has administered a medication or foreign substance to an animal in violation of s. 562.09 (1).

(c) The ~~board~~ commission shall permanently revoke the license of any licensee who violates s. 562.105.

(9) (a) Every license issued under sub. (1) (b) or (c) shall set forth the time and number of days, or the specific dates, during which racing may be conducted under that license, as determined by the ~~board~~ commission.

(b) A license under sub. (1) (c) may authorize horse races on days on which the fair is conducted and for 2 additional periods not to exceed 5 days each. Either or both of the additional periods may be consecutive with the days on which the fair is conducted. In assigning race days and race times under this paragraph, the ~~board~~ commission shall consider the competitive effects on licensees under sub. (1) (a) and (b).

(10) The ~~board~~ commission shall revoke the license issued under sub. (1) (a) of any person who accepts any public money to construct or operate a racetrack in Wisconsin. This subsection does not apply to any racetrack operated in conjunction with a county fair.

SECTION 1105m. 562.057 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (1) Except as provided in sub. (2), an intertrack wagering licensee may accept wagers on races that are conducted at 2 or more host tracks during the same race day with the approval of the ~~board~~ commission.

SECTION 1105n. 562.057 (3) (b) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (3) (b) (intro.) After making the required allocations under s. 562.065 (3) (a) and (c) to (e), making all other payments required under this chapter as a result of conducting the intertrack wagering and deducting the costs and expenses that the ~~board~~ commission determines were necessary in order to gather, transmit and disseminate all data that was necessary to conduct the intertrack wagering, the moneys retained by the intertrack wagering licensee as a result of the intertrack wagers shall be allocated as follows:

SECTION 1105no. 562.057 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

562.057 (4) The board may permit a licensee under s. 562.05 (1) (b) to receive simulcast races from out-of-state racetracks ~~not more than 9 simulcast races each year and, to conduct pari-mutuel wagering on those races and to commingle the licensee's wagering pools on those races with those of any out-of-state racetrack from which the licensee is permitted to receive simulcast races. The licensee shall use at least 1.5% of the total amount wagered at the racetrack that receives the simulcasts for purses at that racetrack. The board may permit a licensee under s. 562.05 (1) (b) to simul-~~

Vetoed
in Part

~~cast races to any out-of-state legal wagering entity, and to commingle the licensee's wagering pools on those races with those of any out-of-state legal wagering entity to which the licensee is permitted to simulcast those races.~~

Vetoed
in Part

SECTION 1105np. 562.057 (4) of the statutes, as affected by 1991 Wisconsin Act 39, (this act), is repealed and recreated to read:

562.057 (4) The commission may permit a licensee under s. 562.05 (1) (b) to receive simulcast races from out-of-state racetracks, to conduct pari-mutuel wagering on those races and to commingle the licensee's wagering pools on those races with those of any out-of-state racetrack from which the licensee is permitted to receive simulcast races. The licensee shall use at least 1.5% of the total amount wagered at the racetrack that receives the simulcasts for purses at that racetrack. The commission may permit a licensee under s. 562.05 (1) (b) to simulcast races to any out-of-state legal wagering entity and to commingle the licensee's wagering pools on those races with those of any out-of-state legal wagering entity to which the licensee is permitted to simulcast those races.

SECTION 1105p. 562.065 (1) of the statutes is amended to read:

562.065 (1) TYPES OF POOLS; PURSES. The ~~board~~ commission shall promulgate rules governing types of pari-mutuel pools that are permitted on races and the payment and allocation of purses for races.

SECTION 1105pn. 562.065 (3) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

Vetoed
in Part

562.065 (3) (b) *Purses*. 1. For horse races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 8% of the total amount wagered on each race day for purses for races held on that race day, except as provided in s. 562.057 (3) (b) and (4). The licensee shall pay purses directly to the owner of a horse or, if a horse is leased, the licensee shall pay the purse directly to the lessor and lessee of the horse as agreed in a written lease agreement on file with the licensee.

2. For dog races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 4.5% of the total amount wagered on each race day for purses, except as provided in s. 562.057 (3) (b) and (4). Purses shall be paid on or before Thursday of the calendar week immediately following the race day on which the purses are won. The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purse directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.

SECTION 1105q. 562.065 (3) (c) 1. (intro.) of the statutes is amended to read:

562.065 (3) (c) 1. (intro.) For horse races, from the total amount deducted under par. (a) on each race

day, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ commission the following amounts:

SECTION 1105r. 562.065 (3) (c) 2. (intro.) of the statutes is amended to read:

562.065 (3) (c) 2. (intro.) For dog races, from the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ commission the following amounts:

SECTION 1105s. 562.065 (3) (c) 2g. (intro.) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

562.065 (3) (c) 2g. (intro.) For dog races, from the total amount deducted under par. (a) on each race day that is on or after January 1, 1993, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ commission the following amounts:

SECTION 1105t. 562.065 (3) (c) 4 of the statutes is amended to read:

562.065 (3) (c) 4. Annually, not later than February 15, a licensee under s. 562.05 (1) (b) shall file with the ~~board~~ commission a statement computing the total amount paid to the ~~board~~ commission under subd. 1 during the immediately preceding year and the total amount wagered at races sponsored and managed by the licensee during that year. If the total amount paid to the ~~board~~ commission under subd. 1 exceeds the amount due under subd. 1 the ~~board~~ commission shall refund the difference to the licensee. If the total amount paid is less than the amount due the licensee shall remit the difference to the ~~board~~ commission.

SECTION 1105u. 562.065 (3) (d) 1 and 2 of the statutes are amended to read:

562.065 (3) (d) 1. From the total amount deducted under par. (a) on each race day, a licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ commission an amount equal to 0.75% of the total amount wagered on that race day.

2. The board shall deposit the money received under subd. 1 in the ~~appropriation~~ appropriations under s. ~~ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).~~

SECTION 1105v. 562.065 (3) (d) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.065 (3) (d) 2. The commission shall deposit the money received under subd. 1 in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1106m. 562.065 (3) (e) of the statutes is amended to read:

562.065 (3) (e) *Breakage*. A licensee under s. 562.05 (1) (b) shall deposit with the ~~board~~ commission an amount equal to 50% of the breakage for each race day. The moneys received under this paragraph shall be deposited as follows:

1. For horse races, in the appropriation under s. ~~20.192 (2)~~ 20.197 (3) (h).

2. For dog races, in the ~~appropriation~~ appropriations under s. ~~ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).~~

SECTION 1106r. 562.065 (3) (e) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.065 (3) (e) 2. For dog races, in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1107m. 562.065 (3m) (c) of the statutes is amended to read:

562.065 (3m) (c) *Allocation between licensee and state association*. 1. From the total amount of the deduction under par. (a) remaining after the payment of purses under par. (b), the licensee under s. 562.05 (1) (c) shall retain an amount equal to the licensee's costs related to pari-mutuel racing and wagering conducted under the license. The ~~board~~ commission shall, by rule, determine the costs which may be included under this subdivision and require auditing of these costs.

2. The licensee may retain 50% of the amount of the deduction under par. (a) remaining after the payment of purses under par. (b), and the payment of the licensee's cost under subd. 1. The licensee shall deposit the remaining 50% of that amount with the ~~board~~ commission. The ~~board~~ commission shall deposit moneys received under this subdivision in the appropriation under s. ~~20.192 (2)~~ 20.197 (3) (i).

SECTION 1108am. 562.065 (4) of the statutes is amended to read:

562.065 (4) *UNCLAIMED PRIZES*. Any winnings on a race which are not claimed within 90 days after the end of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the board. The board shall deposit moneys received under this subsection in the ~~appropriation~~ appropriations under s. ~~ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).~~

SECTION 1108b. 562.065 (4) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.065 (4) *UNCLAIMED PRIZES*. Any winnings on a race which are not claimed within 90 days after the end of the period authorized for racing in that year under s. 562.05 (9) shall be paid to the commission. The commission shall deposit moneys received under this subsection in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1108c. 562.075 (1) (a) and (b) of the statutes are amended to read:

562.075 (1) (a) *Races*. Every licensee to sponsor and manage horse races under s. 562.05 (1) (b) or (c) shall hold at least one race on every race day which is limited to horses foaled in this state, except that another race may be substituted if the licensee is unable, with reasonable effort, to attract sufficient competition for such a race. The ~~board~~ commission shall define, by rule, the term "foaled in this state".

(b) *Purse supplements.* From the appropriation under s. ~~20.192 (2)~~ 20.197 (3) (h), the ~~board commission~~ shall, under rules promulgated by the ~~board commission~~, distribute annually the moneys allocated for purse supplements for horses foaled in this state. The ~~board commission~~ shall distribute those moneys on a prorated basis to the breeder of any horse foaled in this state which wins any portion of a purse for a race conducted under this subsection and held during the year of the distribution.

SECTION 1108e. 562.075 (2) (c) of the statutes is amended to read:

562.075 (2) (c) *Purse supplements.* From the appropriation under s. ~~20.192 (2)~~ 20.197 (3) (h), the ~~board commission~~ shall, under rules promulgated by the ~~board commission~~, distribute annually the moneys allocated for purse supplements for 3-year-old horses. The ~~board commission~~ shall distribute those moneys on a prorated basis to the breeder of any 3-year-old horse which did not race during the prior 2 years and which wins a race conducted under this subsection and held during the year of the distribution.

SECTION 1108f. 562.077 of the statutes is amended to read:

562.077 County fair advancement grants. From the appropriation under s. ~~20.192 (2)~~ 20.197 (3) (i), the ~~board commission~~ shall provide grants to the Wisconsin association of fairs for use for the advancement of county fairs throughout the state. The ~~board commission~~ shall approve the program for which any grant under this section is used prior to making the grant.

SECTION 1108g. 562.08 (3) of the statutes is amended to read:

562.08 (3) Each county, city, village and town receiving moneys under sub. (2) shall use at least part of the moneys to defray the costs of law enforcement, traffic control and other municipal expenditures incidental to the conduct of racing in that county, city, village or town and shall submit annually a report to the ~~board commission~~ showing how it has expended those moneys.

SECTION 1108h. 562.09 (1) and (2) of the statutes are amended to read:

562.09 (1) **BOARD RULES.** (a) The board shall promulgate and enforce rules governing the administration of medication and foreign substances to animals at racetracks where there is racing and medical testing of those animals. The rules shall provide that no medication or foreign substance, as defined by the board, may be administered to an animal within 48 hours prior to its entry in a race and that no animal participating in a race may carry any medication or foreign substance in its body, except as provided in this paragraph. The rules may permit specified levels of the following medications or foreign substances to be present in the body of an animal participating in a race if it is determined by the board that the medication or foreign substance entered the body of the animal through the food chain: procaine and its metabolites;

sulfa drugs and their metabolites; polyethylene glycol; and any other medication or foreign substance that may enter the body of an animal through the food chain and that the board determines will not affect the integrity of the race or will not be relevant to the wagering public if the medication or foreign substance is present in an animal participating in a race. The rules shall specify the permissible levels of those medications or foreign substances consistent with levels resulting from food ingestion and in a manner that enables the levels to be detected in a urine sample of the animal.

(b) The ~~board commission~~ shall establish, by rule, the qualifications for any laboratory which the ~~board commission~~ uses for testing under this section.

(2) **TESTING AND DETENTION.** (a) The owner or the agent or employe of the owner of any animal on a racetrack shall permit any member, steward, employe or other agent of the ~~board commission~~ to make any test which the ~~board commission~~ determines to be proper to determine if a medication or foreign substance has been administered to that animal in violation of sub. (1).

(b) 1. The ~~board commission~~ shall require, by rule, that every horse entered in a race be tested before the race to determine if a medication or foreign substance has been administered to the horse in violation of sub. (1). The rule shall require that every horse entered in a race shall be detained from the time the prerace test is administered until the horse leaves the detention area to proceed to the start of the race. The rules shall limit the persons who may be present when samples are taken for the tests and who may be present in the detention area and shall identify who those persons may be.

2. The ~~board commission~~ shall require, by rule, that immediately after every race the animal which won the race, at least one animal selected at random and any additional animals, as identified by the ~~board commission~~ rule, shall be tested to determine if a medication or foreign substance has been administered to the animal in violation of sub. (1). A steward or veterinarian employed by, under contract with or approved by the ~~board commission~~ may designate additional animals to be tested to determine whether a violation of sub. (1) has occurred.

(bm) The rules which the ~~board commission~~ applies at racetracks at fairs under pars. (a) and (b) and sub. (1) may differ from the rules which the ~~board commission~~ applies under pars. (a) and (b) and sub. (1) at other racetracks.

(c) Any finding by the ~~board commission~~ that a medication or foreign substance has been administered to an animal in violation of sub. (1) is prima facie evidence of a violation of sub. (1).

(d) The results of any test under this subsection shall be kept on file by the ~~board commission~~ for at least one year following the test.

(e) The board shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be deposited in the ~~appropriation~~ appropriations under s. ss. 20.192 (1) (g), 20.197 (4) (g) and 20.455 (2) (g).

SECTION 1108hm. 562.09 (1) (title) and (a) of the statutes, as affected by 1991 Wisconsin Act (this act), are repealed and recreated to read:

562.09 (1) (title) COMMISSION RULES. (a) The commission shall promulgate and enforce rules governing the administration of medication and foreign substances to animals at racetracks where there is racing and medical testing of those animals. The rules shall provide that no medication or foreign substance, as defined by the commission, may be administered to an animal within 48 hours prior to its entry in a race and that no animal participating in a race may carry any medication or foreign substance in its body, except as provided in this paragraph. The rules may permit specified levels of the following medications or foreign substances to be present in the body of an animal participating in a race if it is determined by the commission that the medication or foreign substance entered the body of the animal through the food chain: procaine and its metabolites; sulfa drugs and their metabolites; polyethylene glycol; and any other medication or foreign substance that may enter the body of an animal through the food chain and that the commission determines will not affect the integrity of the race or will not be relevant to the wagering public if the medication or foreign substance is present in an animal participating in a race. The rules shall specify the permissible levels of those medications or foreign substances consistent with levels resulting from food ingestion and in a manner that enables the levels to be detected in a urine sample of the animal.

SECTION 1108i. 562.09 (2) (e) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

562.09 (2) (e) The commission shall establish, by rule, and charge fees for testing under this subsection. Fees received under this paragraph shall be deposited in the appropriations under ss. 20.197 (1) (g) and 20.455 (2) (g).

SECTION 1109c. 562.09 (3) (c) 2 of the statutes is amended to read:

562.09 (3) (c) 2. That the animal was not properly made available for any test or inspection required by the board commission.

SECTION 1109e. 562.09 (3) (em) and (f) of the statutes are amended to read:

562.09 (3) (em) Unless the person is a veterinarian, have in his or her possession on a racetrack or track located at a fair where there is racing any equipment for the hypodermic injection of an animal or any substance for hypodermic injection of an animal. The board commission may, by rule, permit the possession of an injectable substance or hypodermic equipment for the person's personal use.

(f) Have in his or her possession on a racetrack any appliance which can be used to stimulate or affect the speed of an animal except a whip authorized by the board commission by rule or a spur authorized by the board commission by rule.

SECTION 1109g. 562.105 of the statutes is amended to read:

562.105 Humane killing of dogs. No person may kill or cause to be killed any dog which races in this state or was bred, whelped or trained in this state for racing, except by a humane chemical method, specified by the board commission by rule, which normally causes dogs to be rendered insensible to pain, is rapid and effective and is administered by a veterinarian.

~~SECTION 1109hg. 562.11 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is renumbered 562.11 (2) (intro.) and amended to read:~~

~~562.11 (2) (intro.) Facilitate off-track wagers or conduct an operation through which off-track wagers are transmitted to a racetrack. The acceptance of an intertrack wager or of a wager on a race that is simulcast from an out-of-state racetrack at a racetrack that does not meet the criteria specified under s. 562.09 (6m) (b) 2 or and 3 is considered to be the acceptance of an off-track wager and the facilitation of an off-track wager. The acceptance at a racetrack of a wager on a race that is simulcast from an out-of-state racetrack is considered to be the acceptance of an off-track wager and the facilitation of an off-track wager unless all of the following apply:~~

~~SECTION 1109hm. 562.11 (2) (a) and (b) of the statutes are created to read:~~

~~562.11 (2) (a) At least 250 race performances were conducted at the racetrack during the calendar year immediately preceding the year in which the wager is accepted.~~

~~(b) Wagering is conducted at the racetrack on races that are simulcast from out-of-state racetracks only as an adjunct to, and not in a manner that supplants, wagering on live on-track racing at that racetrack, and revenue from wagering on races that are simulcast from out-of-state racetracks is not the primary source of wagering revenue at that racetrack.~~

SECTION 1109i. 562.12 (1) of the statutes is amended to read:

562.12 (1) Race an animal under a name other than its registered name or out of the animal's proper class, as determined by the board commission by rule.

SECTION 1109k. 562.12 (3) of the statutes is amended to read:

562.12 (3) Bribe or extort, or attempt to bribe or extort, any member, employe or agent of the board commission or any other person having charge of or access to an animal on a racetrack.

SECTION 1109L. 562.124 of the statutes is amended to read:

562.124 Snowmobile racing. (1) The board commission may authorize on-track pari-mutuel wagering

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on snowmobile racing at times and places, as determined by the board commission, that do not conflict with other racing authorized by this chapter.

(2) If the board commission authorizes on-track pari-mutuel wagering on snowmobile racing under sub. (1), the board commission shall regulate the pari-mutuel wagering and shall promulgate all rules necessary to administer this section. Through its rules, the board commission shall do everything necessary to ensure the public interest and protect the integrity of the sport of snowmobile racing.

(3) The board commission shall confer with representatives of the United States snowmobile association in developing rules to protect the integrity of the sport of snowmobile racing.

(4) If the board commission authorizes on-track pari-mutuel wagering on snowmobile racing, the board commission shall prepare and submit to the chief clerk of each house of the legislature under s. 13.172 (2) a report on whether any additional civil or criminal penalties are necessary to enforce its rules.

SECTION 1109m. 562.125 (1) of the statutes is amended to read:

562.125 (1) INVESTIGATIONS. The department of justice may investigate any activities by the board commission and the board's commission's employes and contractors, or by the licensees and their employes and contractors, which affect the operation or administration of racing and on-track pari-mutuel wagering, and shall report suspected violations of state or federal law to the appropriate prosecuting authority.

SECTION 1109p. 562.13 (2) (b) of the statutes is amended to read:

562.13 (2) (b) Intentionally makes a false statement or material omission in an application for employment with the board commission.

SECTION 1110b. 563.05 (title) of the statutes is created to read:

563.05 (title) Powers and duties of commission.

SECTION 1110d. 563.05 (4) to (6) of the statutes are created to read:

563.05 (4) The commission may promulgate rules defining procedures to be used by the commission for receiving, filing and investigating complaints, for commencing disciplinary proceedings and for conducting hearings under this chapter.

(5) No commission member or employe and no member of a commission member's or employe's immediate family, as defined in s. 19.42 (7), may, while that commission member or employe is serving as a commission member or employe or for 2 years following the termination of the membership or employment of that commission member or employe, do any of the following:

(a) Have any direct or indirect interest in any person who is licensed or required to be licensed under this chapter.

(b) Accept or agree to accept money or any thing of value from any person who is licensed or required to be licensed under this chapter.

(6) The commission shall deposit all moneys received by the commission under this chapter, except s. 563.80, in the appropriation under s. 20.197 (1) (g).

SECTION 1110f. 564.02 (2) (g) and (2m) of the statutes are created to read:

564.02 (2) (g) The commission shall deposit all moneys received by the commission under this subsection in the appropriation under s. 20.197 (1) (g).

(2m) CONFLICTS OF INTEREST. No commission member or employe and no member of a commission member's or employe's immediate family, as defined in s. 19.42 (7), may, while that commission member or employe is serving as a commission member or employe or for 2 years following the termination of the membership or employment of that commission member or employe, do any of the following:

(a) Have any direct or indirect interest in any person who is registered or required to be registered under sub. (2).

(b) Accept or agree to accept money or any thing of value from any person who is registered or required to be registered under sub. (2).

SECTION 1110h. Chapter 565 (title) of the statutes is amended to read:

CHAPTER 565
STATE LOTTERY

SECTION 1110j. 565.01 (1) of the statutes is renumbered 565.01 (1m).

SECTION 1110L. 565.01 (1) of the statutes is created to read:

565.01 (1) "Administrator" means the administrator of the lottery division.

SECTION 1110n. 565.01 (2) and (3) of the statutes are repealed.

SECTION 1110p. 565.01 (4c) (a) and (b) of the statutes are amended to read:

565.01 (4c) (a) The development of a specification related to a bid or competitive sealed proposal to supply goods or services to the board commission.

(b) The evaluation of a bid or competitive sealed proposal to supply goods or services to the board commission.

SECTION 1110q. 565.01 (6) of the statutes is amended to read:

565.01 (6) "Retailer" means a person who sells lottery tickets or lottery shares on behalf of the board commission under the terms of a lottery retailer contract entered into under s. 565.10.

SECTION 1110r. 565.02 (title) and (1) (a) and (b) (intro.) of the statutes are amended to read:

565.02 (title) Lottery operations. (1) (a) ~~An executive director shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve outside the classified service. Prior to appointing an executive director~~ administrator, the

~~governor commission~~ shall conduct a nationwide search to find the best, most qualified appointee and consider the business management experience, marketing experience, computer experience and lottery management experience of the applicants.

(b) (intro.) Notwithstanding s. 111.321, no person may serve as the ~~executive director administrator~~ if he or she has been convicted of, or entered a plea of guilty or no contest to, any of the following:

SECTION 1110s. 565.02 (1) (b) 4 of the statutes is amended to read:

565.02 (1) (b) 4. A violation of a provision of this chapter or rule of the ~~board commission~~.

SECTION 1110t. 565.02 (1) (c) of the statutes is amended to read:

565.02 (1) (c) Before appointment of an ~~executive director administrator~~ is made, the ~~governor commission~~, with the assistance of the department of justice, shall conduct a background investigation of the proposed ~~executive director administrator~~. The ~~governor commission~~ shall require the proposed ~~executive director administrator~~ to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrests and convictions. The ~~lottery board commission~~ shall reimburse the department of justice for the department's services under this paragraph.

SECTION 1110u. 565.02 (2) (a) and (b) of the statutes are amended to read:

565.02 (2) (a) The ~~executive director administrator~~ shall perform the duties assigned to the ~~executive director administrator~~ under this chapter and by the ~~board commission~~.

(b) The ~~executive director administrator~~ shall appoint and supervise ~~board employees, including outside the classified service, the deputy director and assistant directors of the lottery division~~, as specified by the ~~board commission~~ by rule under sub. (3) (a), as necessary to carry out the duties of the ~~board and executive director commission and administrator~~.

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SECTION 1110v. 565.02 (2) (c) 3 and (d) of the statutes are amended to read:

565.02 (2) (c) 3. A violation of a provision of this chapter or rule of the ~~board commission~~.

(d) Before appointment of lottery employees is made under par. (b), the ~~executive director commission~~, with the assistance of the department of justice, shall conduct a background investigation of the proposed employees. The ~~executive director commission~~ shall require the persons proposed as employees to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person finger-

printed and obtaining records of his or her criminal arrests and convictions. The ~~lottery board commission~~ shall reimburse the department of justice for the department's services under this paragraph.

SECTION 1111e. 565.02 (2r) of the statutes is amended to read:

565.02 (2r) The ~~board commission~~ may require a fidelity bond from the ~~executive director, deputy director, an assistant director administrator~~ or any other ~~board employe of the lottery division~~.

SECTION 1111m. 565.02 (3) (intro.) and (a) of the statutes are amended to read:

565.02 (3) (intro.) The ~~board commission~~ shall promulgate all of the following rules:

(a) Establishing a plan of organizational structure for ~~board lottery division employes that shall include a deputy director and at least 3 but not more than 5 assistant directors, one of whom shall be an assistant director for security, one of whom shall be an assistant director for marketing and one of whom shall be an assistant director for operations~~.

SECTION 1111s. 565.02 (3) (b) 6 of the statutes is amended to read:

565.02 (3) (b) 6. Qualifications for retailers, in addition to those under this section, as determined by the ~~board commission~~.

SECTION 1111v. 565.02 (4) (intro.) of the statutes is amended to read:

565.02 (4) (intro.) The ~~board commission~~ may promulgate all of the following rules:

SECTION 1111x. 565.02 (5) of the statutes is repealed.

SECTION 1112am. 565.02 (6) of the statutes is created to read:

565.02 (6) The commission shall deposit all gross lottery revenues, as defined in s. 25.75 (1) (b), in the lottery fund.

~~SECTION 1112ar. 565.02 (7) of the statutes is created to read:~~

~~565.02 (7) Not later than March 1 of each year, the commission shall submit to the joint committee on finance a report that includes an estimate for that fiscal year and for the subsequent fiscal year of the gross revenues from the sale of lottery tickets and lottery shares, the total amount paid as prizes and the prize payout ratio for each type of lottery game offered. If, within 14 working days after the date on which the committee receives the report, the cochairpersons of the committee notify the commission that the committee has scheduled a meeting for the purpose of reviewing the commission's proposed prize payouts, the commission may proceed with its plans for the prize payouts for the subsequent fiscal year only upon approval of the plans by the committee. If the cochairpersons of the committee do not notify the commission within 14 working days after the date on which the committee receives the report that the committee has scheduled a meeting for the purpose of~~

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Vetoed in Part reviewing the commission's proposed prize payouts, the commission's plans for the prize payouts for the subsequent fiscal year are considered approved by the commission.

SECTION 1112b. 565.05 (1) (intro.) and (a) of the statutes are amended to read:

565.05 (1) (intro.) No member or employee of the board commission may do any of the following:

(a) Have a direct or indirect interest in or be employed by any vendor while serving as a board commission member or employee or for 2 years following the member's or employee's termination of service.

SECTION 1112bm. 565.05 (1) (c) of the statutes is repealed.

SECTION 1112c. 565.10 (1) of the statutes is amended to read:

565.10 (1) SELECTION OF RETAILERS; RETAILER CONTRACT. Under rules promulgated by the board commission under s. 565.02 (3) (b) and (4) (a), the ~~executive director~~ administrator may contract with a person for the retail sale of lottery tickets or lottery shares. Retailers shall be selected for contract so as to provide adequate and convenient availability of lottery tickets and lottery shares to prospective buyers.

SECTION 1112d. 565.10 (3) (a) 4 of the statutes is amended to read:

565.10 (3) (a) 4. A violation of ~~any provision of this chapter or any rule promulgated by the board under this chapter.~~

SECTION 1112e. 565.10 (3) (c) 4 of the statutes is amended to read:

565.10 (3) (c) 4. The restrictions under par. (a) do not apply to the partnership, association or corporation if the board commission determines that the partnership, association or corporation has terminated its relationship with the partner, officer, director or owner who was convicted or entered the plea or with the partner, officer, director, owner or other individual whose actions directly contributed to the partnership's, association's or corporation's conviction or entry of plea.

SECTION 1112f. 565.10 (4) (b) (intro.) of the statutes is amended to read:

565.10 (4) (b) (intro.) Subject to approval of each such retailer contract by the board commission, the retailer contract is with one of the following:

SECTION 1112g. 565.10 (5) of the statutes is amended to read:

565.10 (5) STATE AGENCIES; GOVERNMENT PROPERTY. (a) In entering into a lottery retailer contract with state agencies, other than the board commission, and agencies of local units of government, the ~~executive director~~ administrator shall attempt to minimize the competitive effect of sales by the state or local agencies on other retailers. An application for a retailer contract by a local unit of government shall be approved by the governing body of the local unit of government.

(b) A lottery retailer contract may be entered into with a private person operating activities on state or local government property. The ~~board~~ commission shall give preference to an individual, group of individuals or nonprofit organization, as specified under sub. (4) (b), in entering into contracts under this paragraph.

SECTION 1112h. 565.10 (7) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (7) (b) The ~~executive director~~ administrator may, under rules promulgated by the board commission, contract for a period that is shorter than 3 years in order to stagger lottery retailer contract expiration dates throughout a 3-year period.

SECTION 1112i. 565.10 (8) and (8m) of the statutes are amended to read:

565.10 (8) CONTRACT FEES. A contract entered into under this section may require payment of a nonrefundable initial application fee or a nonrefundable annual fee for continuation, or both, in an amount promulgated by the board commission by rule under s. 565.02 (4) (b). A separate nonrefundable fee, in an amount specified in rules promulgated by the ~~board~~ by rule under s. 565.02 (4) (b), may be required for each certificate of authority issued under sub. (11).

(8m) (title) PAYMENT TO COMMISSION OR CONTRACTOR. Payment by a retailer to the board commission or to any contractor for lottery tickets or lottery shares shall be by check, bank draft, electronic fund transfer or other recorded means, as determined by the ~~executive director~~ administrator. No payment under this subsection may be in cash.

SECTION 1112j. 565.10 (11) of the statutes is amended to read:

565.10 (11) CERTIFICATE OF AUTHORITY; REQUIRED DISPLAY. The board commission shall issue to each retailer a separate certificate of authority for each location from which the retailer may sell lottery tickets or lottery shares. Each retailer shall conspicuously display the certificate of authority on the premises where retail sales of lottery tickets or lottery shares are authorized under the certificate in a location which is accessible for public inspection.

SECTION 1112k. 565.10 (13) of the statutes is amended to read:

565.10 (13) BOND. The board commission may by rule under s. 565.02 (4) (d) require fidelity bonds from retailers. In lieu of a bond, the board commission may purchase blanket bonds covering all or selected retailers or may allow a retailer to deposit and maintain with the board commission interest-bearing or interest-accruing securities approved by the board commission. Such securities shall be held in trust by the board commission and shall have at all times a market value at least equal to the amount required by the board commission.

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SECTION 1112L. 565.10 (14) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (14) (b) The basic compensation to be paid to a retailer is 5% of the retail price of lottery tickets or lottery shares sold by the retailer. The board commission may, in the rules promulgated under s. 565.02 (4) (f), provide for the payment of a higher rate of compensation to nonprofit organizations making sales under a contract issued on a temporary basis than the rate of compensation paid to other retailers.

SECTION 1113am. 565.10 (14) (c) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.10 (14) (c) The board commission shall by rule under s. 565.02 (3) (e) determine the amount of incentive bonuses, if any, to be paid to retailers.

SECTION 1113b. 565.10 (15) of the statutes is amended to read:

565.10 (15) REMITTING PROCEEDS. A retailer shall, on a daily basis, unless another basis, but not less than weekly, is provided by the board commission by rule, remit to the board commission the lottery proceeds from the sale of lottery tickets or lottery shares. The amount of compensation deducted by the retailer, if any, shall be indicated as a deduction from the total remitted.

SECTION 1113c. 565.12 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.12 (1) (intro.) A lottery retailer contract entered into under s. 565.10 may be terminated or suspended for a specified period if the board commission finds that the retailer has done any of the following:

SECTION 1113d. 565.12 (1) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.12 (1) (e) Failed to account accurately for lottery tickets, revenues or prizes or lottery shares, as required by the board commission, or is delinquent in remitting lottery ticket or lottery share revenues.

SECTION 1113e. 565.12 (2) and (3) of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

565.12 (2) If the ~~executive director~~ administrator determines that the immediate suspension or termination of a lottery retailer contract entered into under s. 565.10 is necessary to protect the public interest or the security, integrity or fiscal responsibility of the lottery, the ~~executive director~~ administrator may, without prior notice or hearing, suspend for a specified period or terminate the lottery retailer contract by mailing to the retailer a notice of suspension or termination that includes a statement of the facts or conduct that warrant the suspension or termination and a notice that the retailer may, within 30 days after the date on which the notice of suspension or termination is mailed, have the suspension or termination reconsidered by the ~~executive director~~ administrator. If, upon

reconsideration, the ~~executive director~~ administrator affirms the determination to suspend or terminate the lottery retailer contract, the retailer shall be afforded an opportunity for a hearing before the board commission to review the determination of the ~~executive director~~ administrator.

(3) The board commission shall render the final decisions under s. 227.47 for all terminations and suspensions under subs. (1) and (2).

SECTION 1113f. 565.15 of the statutes is amended to read:

565.15 (title) Commission retail outlet. The board commission may establish and operate a lottery ticket or lottery share retail sales outlet or sell lottery tickets or lottery shares to the public at a special event. In considering whether to engage in direct retail sales, the board commission shall attempt to minimize the competitive effects of its sales on sales by other retailers.

SECTION 1113g. 565.17 (1) and (2) of the statutes are amended to read:

565.17 (1) WHO MAY SELL. Lottery tickets or lottery shares may not be sold by any person other than a retailer or the board commission.

(2) PRICE. No person may sell lottery tickets or lottery shares at a price other than the retail sales price established by the ~~executive director~~ administrator under s. 565.27 (1) (b), except to the extent of any discount authorized by the ~~executive director~~ administrator or the board commission.

SECTION 1113h. 565.17 (5) (title) and (a) of the statutes are amended to read:

565.17 (5) (title) COMMISSION MEMBERS AND EMPLOYEES. (a) No member or employe of the board commission or any relative residing in the same household with a member or employe of the board commission may purchase a lottery ticket or lottery share.

SECTION 1113i. 565.25 (1m) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the board commission, the ~~executive director~~ administrator may determine whether lottery functions shall be performed by board commission employes or by one or more persons under contract with the department, except that no contract may provide for the entire management of the lottery or for the entire operation of the lottery by any private person. The department may contract for management or consultation services to assist in the management or operation of the lottery. The department may not contract for financial auditing or security monitoring services. If the department delegates under s. 16.71 (1) to the board commission the authority to make a major procurement, the board commission shall assume the powers and duties of the department and the ~~executive director~~ administrator shall assume the powers and duties of the secretary of administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

SECTION 1113j. 565.25 (2) (a) 4. (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (2) (a) 4. (intro.) The ~~executive director~~ administrator shall develop specifications for major procurements. If security is a factor in the materials, supplies, equipment, property or services to be purchased in any major procurement, then invitations for bids or competitive sealed proposals shall include specifications related to security. The ~~executive director~~ administrator shall submit specifications for major procurements to the ~~board~~ administrator for review and approval before the department releases the specifications in invitations for bids or competitive sealed proposals. The department shall require separate bids or separate competitive sealed proposals for each of the following supplies and services if the supplies or services are provided under contract as provided in sub. (1m):

SECTION 1113k. 565.25 (2) (a) 6 and 7 of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

565.25 (2) (a) 6. If the department delegates under s. 16.71 (1) to the ~~board~~ commission the authority to make a major procurement, the award of the major procurement contract is subject to approval by the ~~board~~ commission and to the requirements in ss. 16.72 (4) (a) and 16.76 (1). Copies of requisitions and contracts for major procurements shall be maintained by the ~~executive director~~ administrator and shall be subject to inspection and copying under subch. II of ch. 19.

7. No bill or statement for any purchase or engagement for the ~~board~~ commission may be paid until the bill or statement is approved by the ~~executive director~~ administrator.

SECTION 1113L. 565.25 (3) (a) 4 of the statutes is amended to read:

565.25 (3) (a) 4. A violation of a ~~provision~~ of this chapter or any rule of the board promulgated under this chapter.

SECTION 1113m. 565.25 (4) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

565.25 (4) BACKGROUND INVESTIGATIONS. The ~~executive director~~ commission, with the assistance of the department of justice, shall conduct a background investigation of any person proposing to contract or contracting for a major procurement and of all partners, officers, directors, owners and beneficial owners identified under sub. (3) (b). The ~~executive director~~ commission may require the person and partners, officers, directors and shareholders identified under sub. (3) (b) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the persons fingerprinted and obtaining records of

their criminal arrests and convictions. If the results of the background investigation disclose information specified in sub. (3) (a) with respect to the person, partner, officer, director, owner or beneficial owner, a contract with the vendor, if entered into prior to the disclosure, is void and the vendor shall forfeit any amount filed, deposited or established under sub. (5) (b). The ~~board~~ commission shall reimburse the department of justice for the department of justice's services under this subsection and shall obtain payment from the person proposing to contract or the vendor in the amount of the reimbursement.

SECTION 1113n. 565.27 (1) (intro.) of the statutes is amended to read:

565.27 (1) GAME FEATURES AND PROCEDURES. (intro.) Subject to this section, the rules promulgated under s. 565.02 (3) (d) and (4) (a) and ~~board~~ commission approval, the ~~executive director~~ administrator shall determine the particular features of and procedures for each lottery game offered. The ~~executive director~~ administrator shall recommend to the ~~board~~ commission for promulgation by rule under s. 565.02 (3) (d) the types of state or multistate lottery games to be offered, except that no game may be offered for which winners are selected based on the results of a race or sporting event. The features and procedures shall be in writing, shall be accessible to the public and shall include all of the following:

SECTION 1113no. 565.27 (2) (a) of the statutes is amended to read:

565.27 (2) (a) The actual selection of any winning lottery ticket or lottery share may not be performed by an elected or appointed official or a member or employe of the ~~board~~ commission.

SECTION 1113p. 565.27 (2) (b) 4 of the statutes is amended to read:

565.27 (2) (b) 4. Any equipment used for the drawing must be inspected by a certified public accountant and a ~~board~~ commission employe before and after the drawing.

SECTION 1113q. 565.30 (1) and (2) of the statutes are amended to read:

565.30 (1) PAYMENT OF PRIZES. The ~~executive director~~ administrator shall direct the payment of a prize to the holder of the winning lottery ticket or lottery share or to a person designated under sub. (2), except that a prize may be paid to another person under a court order or to the estate of a deceased prize winner. The ~~board, executive director~~ commission, administrator, state and any contractor for materials, equipment or services of the game in which the prize is won are discharged of all liability upon payment of the prize to the holder of a winning lottery ticket or lottery share.

(2) PAYMENT OF PRIZES TO MINORS. If the prize for a winning lottery ticket or lottery share given to a minor is less than \$1,000, the ~~executive director~~ administrator may make payment of the prize by delivering to an adult member of the minor's family, or to the minor's guardian, a check or draft payable to the minor. If the

prize is \$1,000 or more, the ~~executive director~~ administrator shall make payment to the minor by paying or delivering the money to a broker or financial institution under s. 880.65 (1) (b).

SECTION 1113r. 565.30 (3) (a) of the statutes is amended to read:

565.30 (3) (a) *Period to claim.* The holder of a winning lottery ticket or lottery share may claim a prize within 180 days after the drawing or other selection in which the prize is won or within 180 days after the game's end date, as determined by the ~~executive director~~ administrator, whichever is later.

SECTION 1113s. 565.30 (4) and (4m) of the statutes are amended to read:

565.30 (4) WITHHOLDING OF INCOME TAXES. The ~~executive director~~ administrator shall withhold from lottery winnings any federal income taxes required to be withheld under 26 USC 3402 (q) (3) (B) and any state taxes required to be withheld under s. 71.67 (4).

(4m) CARRY OVER OF PRIZE MONEY. The ~~board commission~~ may carry over unexpended lottery prize money that is not unclaimed lottery prize money from one drawing of a game to another drawing of the same game.

SECTION 1113t. 565.30 (5) of the statutes is amended to read:

565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE. The ~~executive director~~ administrator shall report the name, address and social security number of each winner of a lottery prize equal to or greater than \$1,000 to the department of revenue to determine whether the payee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court-ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of health and social services under s. 46.255 (2) whether any person named in the report is currently delinquent in court-ordered payment of child support and shall next certify to the ~~executive director~~ administrator whether any person named in the report is delinquent in court-ordered payment of child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of revenue or upon court order the ~~executive director~~ administrator shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate agency or person. At the time of remittance, the department of revenue shall charge its administrative expenses to the state agency that has received the remittance. The administrative expenses received by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support, or is delinquent in one or both of these payments and has a debt owing to the state, the

amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee.

SECTION 1113u. 565.30 (5m) of the statutes is amended to read:

565.30 (5m) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR FAMILY SUPPORT. The ~~executive director~~ administrator shall report to the department of health and social services the name, address and social security number of each winner of a lottery prize that is payable in instalments. Upon receipt of the report, the department of health and social services shall certify to the ~~executive director~~ administrator whether any payee named in the report is obligated to provide child support, spousal support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261 or 948.22 (7) and the amount required to be withheld from the lottery prize under s. 767.265. The ~~executive director~~ administrator shall withhold the certified amount from each payment made to the winner and remit the certified amount to the department of health and social services.

SECTION 1113v. 565.32 (1) of the statutes is amended to read:

565.32 (1) PROMOTIONAL ADVERTISING PROHIBITION. The expenditure by the ~~board commission~~ or any other state agency of public funds or of revenues derived from lottery operations to engage in promotional advertising of the state lottery or any multistate lottery is prohibited.

SECTION 1113w. 565.32 (3) (a) (intro.) of the statutes is amended to read:

565.32 (3) (a) (intro.) Any advertising, as defined by the ~~board commission~~ by rule under s. 565.02 (3) (f), of the lottery which describes a specific lottery game and each lottery ticket and lottery share shall include:

SECTION 1113x. 565.37 of the statutes is amended to read:

565.37 Audits, financial reports and odds verification. (1) FINANCIAL AND PERFORMANCE AUDITS. The ~~board commission~~ shall annually contract with the legislative audit bureau to conduct a financial audit of the transactions and accounts of the state lottery, and, to the extent of the ~~board's commission's~~ participation, of any multistate lotteries in which the state participates, for the preceding fiscal year and shall biennially contract with the legislative audit bureau for a performance audit of the state lottery and, to the extent of the ~~board's commission's~~ participation, of those multistate lotteries.

(2) INDEPENDENT POSTAUDIT. At no less than 3-year intervals, the ~~board commission~~ may retain an independent certified public accountant to conduct a postaudit of all the ~~board's lottery division's~~ accounts and transactions. The ~~board commission~~ shall provide copies of each such postaudit to the legislative audit bureau and the department of justice.

(3) (title) COMMISSION REPORT. The ~~board commis-~~ mission shall submit quarterly reports on the operation of the lottery to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2) and to the governor, attorney general, state treasurer, secretary of state and state auditor.

(4) (title) ADMINISTRATOR REPORT. The ~~executive director administrator~~ shall submit monthly financial reports to the board commission.

(5) VERIFICATION OF ODDS. The board commission shall contract with the legislative audit bureau to verify the odds on winning a lottery game that are represented by the board commission, a contractor or a retailer.

(6) AUDIT OF LOTTERY SECURITY. By July 1, 1990, and at least biennially thereafter, the board commission shall hire an independent firm to perform an audit of lottery security that is independent of any other audit under this section.

SECTION 1113y. 565.40 (1) of the statutes is amended to read:

565.40 (1) INVESTIGATIONS. The department of justice may investigate any activities by the board commission, vendors, or lottery division employes, including the ~~executive director administrator~~, which affect the operation or administration of the state lottery or any multistate lottery in which the state participates, and shall report suspected violations of state or federal law to the appropriate prosecuting authority.

SECTION 1113ym. 565.45 of the statutes is amended to read:

565.45 Report on expense limitation. Before January 1, 1992, and every 2 years thereafter, the board commission shall submit a report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), on the effects on the operation of the lottery of the 15% expense limitation under s. 25.75 (3) (b).

SECTION 1113z. 565.46 of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

565.46 Minority advertising, procurements, retailers and hiring. The board commission shall promulgate rules establishing goals that attempt to increase the total amount of expenditures by the board commission for advertising, public relations and other procurements that are directed to minority businesses, the number of retailers that are minority businesses and the number of employes of the board lottery division who are minority group members.

SECTION 1114r. Chapter 569 of the statutes is created to read:

CHAPTER 569
INDIAN GAMING

569.02 Indian gaming. Under the direction of the commission, the separate subunit established in the commission under s. 561.14 shall do all of the following:

(1) Coordinate all of the state's regulatory activities regarding Indian gaming.

(2) Function as an Indian gaming liaison between Indians, the general public and the state.

(3) Function as a clearinghouse for information on Indian gaming.

(4) Assist the governor in determining the types of gaming that may be conducted on Indian lands and in entering into compacts under s. 14.035.

SECTION 1116. 601.465 of the statutes is created to read:

601.465 Nondisclosure of information. The office may refuse to disclose and may prevent any other person from disclosing any of the following:

(1) Testimony, reports, records and information that are obtained, produced or created in the course of an inquiry under s. 601.42.

(2) Except as provided in s. 601.44 (6) to (10), testimony, reports, records and information that are obtained, produced or created in the course of an examination under s. 601.43.

(3) Testimony, reports, records and information that are obtained by the office from any of the following, under a pledge of confidentiality or for the purpose of assisting in the conduct of an investigation or examination:

- (a) The national association of insurance commissioners.
- (b) An agent or employe of the national association of insurance commissioners.
- (c) The insurance commissioner of another state.
- (d) An agent or employe of the insurance commissioner of another state.

SECTION 1117g. 605.35 of the statutes is created to read:

~~**605.35 Loan to general fund.** On or before June 30, 1992, the property fund shall make a loan of \$10,000,000 to the general fund. Interest shall accrue on the principal balance at the average rate earned by the state on its deposits in public depositories during the period of the loan. The general fund shall repay the loan in 5 annual installments of \$2,000,000 principal plus accrued interest, beginning on or before June 30, 1994.~~

Vetoed in Part

Vetoed in Part

~~SECTION 1118m. 618.41 (6m) of the statutes is amended to read:~~

Vetoed in Part

~~618.41 (6m) RUSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy of insurance to cover a warranty, as defined in s. 400.205 130.19 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.~~

SECTION 1118p. 619.10 (1m) of the statutes is created to read:

619.10 (1m) "Alternative plan" means a health maintenance organization, as defined in s. 609.01 (2), or a preferred provider plan, as defined in s. 609.01 (4).

~~SECTION 1118q. 619.12 (2) (d) of the statutes is renumbered 619.12 (2) (d) 1 and amended to read:~~

Vetoed in Part

Vetoed
in Part

~~619.13 (2) (d) 1. No Except as provided in subd. 2 and s. 619.14 (2) (c), no person who is 65 years of age or older is eligible for coverage under the plan.~~

~~SECTION 1118pm. 619.12 (2) (d) 2 of the statutes is created to read:~~

~~619.12 (2) (d) 2. Subdivision 1 does not apply to any of the following:~~

~~a. A person who is covered under a limited-benefit policy under s. 619.14 (2) (c).~~

~~b. Until the person's coverage commences under a limited-benefit policy under s. 619.14 (2) (c), a person who is covered under an alternative policy under s. 619.14 (2) (b) and who applies within 6 months after attaining age 65 to replace that coverage with coverage under a limited-benefit policy under s. 619.14 (2) (c).~~

SECTION 1118qd. 619.13 (1) (b) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

619.13 (1) (b) Every Except as provided by a rule promulgated under s. 619.145 (4), every participating insurer shall share in the operating, administrative and subsidy expenses of the plan in proportion to the ratio of the insurer's total health care coverage revenue for residents of this state during the preceding calendar year to the aggregate health care coverage revenue of all participating insurers for residents of this state during the preceding calendar year, as determined by the commissioner.

SECTION 1118qe. 619.13 (1) (c) of the statutes is amended to read:

619.13 (1) (c) If assessments and other receipts by the commissioner, board or administering carrier exceed payments made to alternative plans in accordance with contracts entered into under s. 619.145 (3) and the actual losses and administrative expenses of the plan, the excess shall be held at interest and used by the board to offset future losses or to reduce plan premiums. In this paragraph, "future losses" includes reserves for incurred but not reported claims.

SECTION 1118qf. 619.13 (1) (d) 1 of the statutes is amended to read:

619.13 (1) (d) 1. Each insurer's proportion of participation in the plan under par. (b) shall be determined annually by the commissioner based on annual statements and other reports filed by the insurer with the commissioner.

Vetoed
in Part

~~SECTION 1118qr. 619.14 (2) (c) of the statutes is created to read:~~

~~619.14 (2) (c). To replace coverage under an alternative policy under par. (b), the plan shall provide a limited-benefit policy for prescription drug expenses related to organ transplants for persons covered under an alternative policy under par. (b) who attain 65 years of age and who apply for coverage under a limited-benefit policy under this paragraph within 6 months after attaining age 65.~~

SECTION 1118r. 619.14 (3) (intro.) of the statutes is amended to read:

619.14 (3) COVERED EXPENSES. (intro.) Except as restricted by cost containment provisions under s. 619.17 (4) and except as reduced by the board under s. 619.15 (3) (e), covered expenses shall be the usual and customary charges for the services provided by persons licensed under ch. 446. Except as restricted by cost containment provisions under s. 619.17 (4) and except as reduced by the board under s. 619.15 (3) (e), 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 1118rc. 619.14 (5) (d) of the statutes is created to read:

619.14 (5) (d) Notwithstanding pars. (a) to (c), the board may establish different deductible amounts, a different coinsurance percentage and different covered costs and deductible aggregate amounts from those specified in pars. (a) to (c) in accordance with cost containment provisions established by the commissioner under s. 619.17 (4) (a) and for individuals who enroll in an alternative plan under s. 619.145.

SECTION 1118rd. 619.145 of the statutes is created to read:

619.145 Alternative plans. (1) The board may offer to persons eligible for coverage under s. 619.12 the opportunity to enroll, on a voluntary basis, in an alternative plan that uses managed care and that the commissioner determines provides benefits that are substantially equivalent to or greater than the benefits provided under the plan. A person who enrolls in an alternative plan under this section is ineligible for coverage under the plan for 12 months after enrolling in the alternative plan.

(2) An alternative plan that provides coverage under this section to persons eligible for coverage under s. 619.12 may limit the number of such persons who may enroll in the alternative plan. Any such enrollment limitation may not be based on medical underwriting considerations.

(3) An alternative plan that provides coverage under this section to persons eligible for coverage under s. 619.12 shall contract with the board to provide such coverage. The contract shall specify all of the following:

(a) Notwithstanding s. 619.14, the benefits provided under the alternative plan.

(b) Requirements for managed care and marketing practices.

(c) Grievance procedures for persons with coverage under the alternative plan.

(d) The payment of fees or premiums to the alternative plan for the coverage provided to persons eligible under s. 619.12.

(e) Subject to sub. (4), a reduction in the alternative plan's assessment under s. 619.13 for operating and administrative, but not subsidy, expenses of the plan.

(f) Any other terms that the board considers necessary.

(4) A contract under sub. (3) may not provide for a reduction in the assessment under s. 619.13 against an alternative plan unless the assessment reduction has been adopted by rule under s. 619.15 (4) (e).

SECTION 1118re. 619.15 (3) (e) of the statutes is created to read:

619.15 (3) (e) Establish for payment of covered expenses, a payment rate that is 10% less than the charges approved by the administering carrier for reimbursement of covered expenses under s. 619.14 (3). A provider of a covered service or article may not bill an eligible person who receives the service or article for any amount by which the charge is reduced under this paragraph.

SECTION 1118rf. 619.15 (4) (d) of the statutes is created to read:

619.15 (4) (d) Contract with alternative plans under s. 619.145 (3).

SECTION 1118rg. 619.15 (4) (e) of the statutes is created to read:

619.15 (4) (e) By rule provide for a reduction in the assessment under s. 619.13 against an alternative plan that provides coverage to eligible persons.

Vetoed in Part SECTION 1118rp. 619.16 (3) (c) (Intro.) of the statutes is amended to read:

619.16 (3) (c) (Intro.) The administering carrier shall perform all necessary functions to assure timely payment of benefits to covered persons under the plan, including:

SECTION 1118rpm. 619.16 (3) (em) of the statutes is created to read:

619.16 (3) (em) The administering carrier shall make any payments required by a contract entered into under s. 619.145 (3).

SECTION 1119. 628.02 (4g), (4m) and (4p) of the statutes are created to read:

628.02 (4g) **MANAGING GENERAL AGENT.** An intermediary is a managing general agent if the intermediary does all of the following:

(a) Manages all or a portion of the insurance business of an insurer.

(b) Adjusts claims, negotiates reinsurance for the insurer or is affiliated or associated with a person who adjusts claims or negotiates reinsurance for the insurer.

(4m) **REINSURANCE BROKER.** A person is a reinsurance broker if the person solicits, negotiates or places reinsurance cessions or retrocessions on behalf of a ceding insurer.

(4p) **REINSURANCE MANAGER.** A person is a reinsurance manager if the person has authority to bind, or manages, all or a portion of the assumed reinsurance business of an insurer.

SECTION 1120. 628.04 (5) of the statutes is created to read:

628.04 (5) **MANAGING GENERAL AGENTS AND REINSURANCE BROKERS AND MANAGERS.** The commissioner may, by rule, require every managing general agent

that is not a natural person, every reinsurance broker and every reinsurance manager to obtain a license in order to do business in this state or with an insurer doing business in this state. The commissioner may, by rule, prescribe classifications for reinsurance brokers and managers, exemptions from the license requirement for managing general agents that are not natural persons, reinsurance brokers and reinsurance managers and grounds for suspension or revocation of a license. The commissioner shall consider the applicable model acts adopted by the national association of insurance commissioners before promulgating rules under this section.

SECTION 1121. 628.49 of the statutes is created to read:

628.49 Regulation of managing general agents, reinsurance brokers and managers and controlling producers. After considering the applicable model acts adopted by the national association of insurance commissioners, the commissioner may promulgate rules that are reasonably necessary to regulate the business practices and transactions of the following:

- (1) Managing general agents.
- (2) Reinsurance brokers.
- (3) Reinsurance managers.
- (4) Intermediaries that control an insurer.

SECTION 1121b. 631.01 (1) (b) of the statutes is amended to read:

631.01 (1) (b) On business operations in this state, if the contract is negotiated outside this state and if the operations in this state are incidental or subordinate to operations outside this state, unless the contract is for a policy of insurance to cover a warranty, as defined in s. 100.205 130.19 (1) (g), in which case the provisions set forth in sub. (4m) apply; and

Vetoed in Part

SECTION 1121m. 631.01 (4m) of the statutes is amended to read:

631.01 (4m) **RUSTPROOFING WARRANTIES INSURANCE.** An insurer issuing a policy of insurance to cover a warranty, as defined in s. 100.205 130.19 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.

SECTION 1121q. 631.89 of the statutes is created to read:

631.89 Restrictions on use of genetic test results. (1) In this section, "genetic test" means a test using deoxyribonucleic acid extracted from an individual's cells in order to determine the presence of a genetic disease or disorder or the individual's predisposition for a particular genetic disease or disorder.

(2) An insurer, or a county, city, village or school board that provides health care services for individuals on a self-insured basis, may not do any of the following:

(a) Require or request directly or indirectly any individual or a member of the individual's family to obtain a genetic test.

(b) Require or request directly or indirectly any individual to reveal whether the individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(c) Condition the provision of insurance coverage or health care benefits on whether an individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(d) Consider in the determination of rates or any other aspect of insurance coverage or health care benefits provided to an individual whether an individual or a member of the individual's family has obtained a genetic test or what the results of the test, if obtained by the individual or a member of the individual's family, were.

(3) (a) Subsection (2) does not apply to an insurer writing life insurance coverage or income continuation insurance coverage.

(b) An insurer writing life insurance coverage or income continuation insurance coverage that obtains information under sub. (2) (a) or (b) may not do any of the following:

1. Use the information contrary to sub. (2) (c) or (d) in writing a type of insurance coverage other than life or income continuation for the individual or a member of the individual's family.

2. Provide for rates or any other aspect of coverage that is not reasonably related to the risk involved.

Vetoed in Part

~~SECTION 1121s. 632.18 of the statutes is amended to read:~~

~~632.18 Rustproofing warranties insurance. A policy of insurance to cover a warranty, as defined in s. 100.205 (30.19 (1) (c)), shall fully cover the financial integrity of the warranty.~~

~~SECTION 1121scm. 632.37 of the statutes is created to read:~~

~~632.37 Motor vehicle glass repair practices; restriction on specifying vendor. An insurer that issues a motor vehicle insurance policy covering the repair or replacement of motor vehicle glass may not require, as a condition of that coverage, that an insured, or a 3rd party, making a claim under the policy for the repair or replacement of motor vehicle glass obtain services or parts from a particular vendor, or in a particular location, specified by the insurer.~~

Vetoed in Part

~~SECTION 1122d. 632.725 of the statutes is created to read:~~

~~632.725 Direct payment to health care provider. When an individual who has coverage under a disability insurance policy, as defined in s. 632.895 (1) (a), makes a written assignment of benefits payable under the policy to a health care provider, as defined in s. 146.81 (1), the insurer shall pay the health care provider directly for covered services to which the assignment applies.~~

SECTION 1122f. 632.87 (1) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m), (3), (4) or (5).

SECTION 1122fg. 632.87 (3) (a) 2 of the statutes is amended to read:

632.87 (3) (a) 2. Prohibit the application of cost containment or quality assurance measures to chiropractic services in a manner that is consistent with cost containment or quality assurance measures generally applicable to physician services and that is consistent with this section.

SECTION 1122fm. 632.87 (3) (b) and (c) of the statutes are created to read:

632.87 (3) (b) No insurer, under a policy, plan or contract covering diagnosis and treatment of a condition or complaint by a licensed chiropractor within the scope of the chiropractor's professional license, may do any of the following:

1. Restrict or terminate coverage for the treatment of a condition or a complaint by a licensed chiropractor within the scope of the chiropractor's professional license on the basis of ~~an examination, an evaluation, or a recommendation~~ other than an examination or evaluation by or a recommendation of a licensed chiropractor or a peer review committee that includes a licensed chiropractor.

Vetoed in Part

2. Refuse to provide coverage to an individual because that individual has been treated by a chiropractor.

3. Establish underwriting standards that are more restrictive for chiropractic care than for care provided by other health care providers.

4. Exclude or restrict health care coverage of a health condition solely because the condition may be treated by a chiropractor.

~~5. Provide an exclusion or a restriction for coverage of a condition or complaint that may be treated by a chiropractor that is not directly related and limited to a preexisting health condition.~~

Vetoed in Part

(c) An exclusion or a restriction that violates par. (b) is void in its entirety.

Vetoed in Part

* SECTION 1122fn. 632.87 (4) of the statutes is created to read:

632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by a licensed dentist within the scope of the dentist's license, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by another health care provider, as defined in s. 146.81 (1).

* Although Item C-26 of the Governor's veto message includes a reference to SECTION 1122fn, the SECTION is not marked by any veto overlay in the published slip law or in the official copy of the act filed with the Secretary of State.

Vetoed
in Part

~~SECTION 1122i. 632.89 (1) (em) of the statutes is renumbered 632.89 (1) (h).~~

~~SECTION 1122j. 632.89 (1) (f) of the statutes is created to read:~~

~~632.89 (1) (f) "Partial hospitalization program" means a program that provides partial hospitalization services for which there is coverage under sub. (2).~~

~~SECTION 1122k. 632.89 (1) (g) of the statutes is created to read:~~

~~632.89 (1) (g) "Partial hospitalization services" means services for the treatment of nervous or mental disorders or alcoholism or other drug abuse problems that are provided to an insured for at least 3, but not more than 8, consecutive hours in a 24-hour period, without an overnight stay.~~

~~SECTION 1122l. 632.89 (2) (b) (title) and 1 of the statutes are amended to read:~~

~~632.89 (2) (b) (title) *Minimum coverage of inpatient hospital, partial hospitalization and outpatient services.* 1. Except as provided in subd. 2, if a group or blanket disability insurance policy issued by an insurer provides coverage of inpatient hospital services, partial hospitalization services and outpatient services, the policy shall provide coverage in every policy year as provided in pars. (c) and (d) except that the total coverage under the policy for a policy year need not exceed \$7,000 or, if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2), the equivalent benefits measured in services rendered.~~

~~SECTION 1122m. 632.89 (2) (c) (title) and 1 of the statutes are amended to read:~~

~~632.89 (2) (c) (title) *Minimum coverage of inpatient hospital services and partial hospitalization services.* 1. If a group or blanket disability insurance policy issued by an insurer provides coverage of any inpatient hospital treatment, the policy shall provide coverage for inpatient hospital services, and for partial hospitalization services, for the treatment of conditions under par. (a) 1 as provided in subd. 2.~~

~~SECTION 1122n. 632.89 (2) (c) 2. a. of the statutes is amended to read:~~

~~632.89 (2) (c) 2. a. The expenses of the first 30 days as an inpatient in a hospital or as a participant in a partial hospitalization program, except that each 24-hour period in which partial hospitalization services are provided shall be counted as 0.5 day for purposes of this requirement.~~

~~SECTION 1122o. 632.89 (2) (c) 2. b. of the statutes is amended to read:~~

~~632.89 (2) (c) 2. b. The first \$7,000 minus a copayment of up to 10% unless for inpatient hospital services or partial hospitalization services, or if the coverage is provided by a health maintenance organization, as defined in s. 609.01 (2), in which case the first \$6,300 or the equivalent benefits measured in services rendered.~~

~~SECTION 1122p. 632.89 (2) (c) 3 of the statutes is created to read:~~

Vetoed
in Part

~~632.89 (2) (c) 3. Notwithstanding subds. 1 and 2, coverage of partial hospitalization services under this subsection is not required unless the partial hospitalization services are provided by a program that has a current, valid certificate issued under s. 51.039 (3).~~

~~SECTION 1122qm. 632.895 (10) of the statutes is created to read:~~

~~632.895 (10) TREATMENT OF ENDOMETRIOSIS INCLUDING INFERTILITY TREATMENT. (a) Every group disability insurance policy that provides maternity coverage shall provide coverage for the treatment of endometriosis.~~

~~(b) A disability insurance policy under par. (a) may not exclude coverage for a procedure for the treatment of infertility that satisfies all of the following conditions:~~

~~1. The procedure is specified as nonexperimental by the rule promulgated under par. (c).~~

~~2. The procedure is prescribed by a physician licensed under ch. 448.~~

~~3. The procedure is prescribed for the treatment of endometriosis, which has been diagnosed by a physician licensed under ch. 448.~~

~~(c) The department of health and social services shall promulgate a rule specifying every procedure for the treatment of infertility in females that is generally recognized as nonexperimental by medical organizations specializing in the treatment of infertility. At least once every 6 months, the department of health and social services shall review the rule promulgated under this paragraph and, if appropriate, update the rule in light of changes in the procedures generally recognized as nonexperimental.~~

~~(d) This subsection does not apply to a medicare replacement policy, a medicare supplement policy or a long-term care insurance policy.~~

~~SECTION 1122r. 646.12 (2) (e) of the statutes is amended to read:~~

~~646.12 (2) (e) Advise and make recommendations to the commissioner on any matter related to the possible insolvency of an insurer covered by this chapter, and respond to any reasonable questions presented by the commissioner. Information, recommendations and advice under this subsection are privileged and confidential and are not open to public inspection under s. 19.35 (1) (a).~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~SECTION 1138m. 704.90 (3) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:~~

~~704.90 (3) (a) An operator has a lien on all personal property stored in a leased space for rent and other charges related to the personal property, including expenses necessary to the preservation, removal, storage, preparation for sale and sale of the personal property. The lien attaches as of the first day the personal property is stored in the leased space and is superior to any other lien or security interest in the personal property except for a statutory lien or a security interest that is perfected by filing prior to the~~

Vetoed in Part ~~first day the personal property is stored in the leased space, or a security interest in a vehicle perfected under ch. 342 or a security interest in a boat perfected under ch. 34.~~

Vetoed in Part ~~SECTION 1138p. 704.90 (9) of the statutes is amended to read:~~

~~704.90 (9) Rules. The department of agriculture, trade and consumer protection justice may promulgate rules necessary to carry out the purposes of this section.~~

SECTION 1139. 706.05 (12) of the statutes is amended to read:

706.05 (12) Every conveyance of any interest in real property offered for recordation shall be accompanied by the form under s. 77.22 (4)-(b) (2). If the property is subject to certification under s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4) (c), the documents of conveyance offered for recordation shall have appended the certificate required under s. 101.122 (4) (a), a waiver under s. 101.122 (4) (b) or a stipulation under s. 101.122 (4) (c).

SECTION 1139g. 707.55 (10) (intro.) of the statutes is amended to read:

707.55 (10) GIFTS AND PRIZES. (intro.) ~~With respect to any A~~ mail or coupon promotion sent to residents of this state that offers any award, gift or prize for visiting a development or attending any sales presentation: shall comply with the requirements of s. 134.74.

SECTION 1139r. 707.55 (10) (a) to (d) of the statutes are repealed.

Vetoed in Part ~~SECTION 1139t. 710.02 (4) (a) (intro.) of the statutes is amended to read:~~

~~710.02 (4) (a) (intro.) Any person filing a report required under 7 USC 3501 to 3508 shall file with the secretary of agriculture, and trade and consumer protection a duplicate original of the report, together with both of the following:~~

SECTION 1143dc. 753.06 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

753.06 (1) (a) Milwaukee county. The circuit has 41 branches. Commencing August 1, 1991, the circuit has 42 branches. Commencing August 1, 1992, the circuit has 45 branches. Commencing August 1, 1994, the circuit has 46 branches.

SECTION 1143de. 753.06 (2) (a) and (b) of the statutes are amended to read:

753.06 (2) (a) Kenosha county. The circuit has 6 branches. Commencing August 1, 1994, the circuit has 7 branches.

(b) Racine county. The circuit has 8 branches. Commencing August 1, 1991, the circuit has 9 branches. Commencing August 1, 1994, the circuit has 10 branches.

SECTION 1143df. 753.06 (4) (d) of the statutes is amended to read:

753.06 (4) (d) Sheboygan county. The circuit has 4 branches. Commencing August 1, 1994, the circuit has 5 branches.

SECTION 1143dg. 753.06 (5) (a) of the statutes, as affected by 1991 Wisconsin Act 71, is amended to read:

753.06 (5) (a) Dane county. The circuit has 14 branches. Commencing August 1, 1992, the circuit has 16 branches. Commencing August 1, 1994, the circuit has 17 branches.

SECTION 1143dh. 753.06 (6) (g) of the statutes is amended to read:

753.06 (6) (g) Portage county. The circuit has 2 branches. Commencing August 1, 1994, the circuit has 3 branches.

SECTION 1143di. 753.06 (8) (b) of the statutes is amended to read:

753.06 (8) (b) Door county. The circuit has one branch. Commencing August 1, 1994, the circuit has 2 branches.

SECTION 1143dj. 753.06 (8) (f) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

753.06 (8) (f) Outagamie county. The circuit has 6 branches. Commencing August 1, 1994, the circuit has 7 branches.

SECTION 1143dk. 753.06 (10) (g) of the statutes, as affected by 1991 Wisconsin Act 32, is amended to read:

753.06 (10) (g) Eau Claire county. The circuit has 4 branches. Commencing August 1, 1994, the circuit has 5 branches.

SECTION 1143dm. 753.06 (10) (k) of the statutes is amended to read:

753.06 (10) (k) St. Croix county. The circuit has 2 branches. Commencing August 1, 1994, the circuit has 3 branches.

SECTION 1143ef. 753.075 (2) of the statutes is repealed and recreated to read:

753.075 (2) ELIGIBILITY. The chief justice of the supreme court may appoint as a reserve judge any person who has served a total of 6 or more years as a supreme court justice, a court of appeals judge or a circuit judge.

SECTION 1143eh. 753.075 (3) (a) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

753.075 (3) (a) Temporary reserve judges shall receive a per diem of ~~\$205~~ \$225 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 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 1145b. 757.69 (3) (e) of the statutes is amended to read:

757.69 (3) (e) Issue subpoenas returnable before a judge on behalf of the Wisconsin department of justice for antitrust violations under s. 133.11 (1) or violations of ss. ~~463.02 to 463.80~~ 563.02 to 563.80 under s. ~~463.74~~ 563.71 (1).

SECTION 1145c. 757.81 (2) of the statutes is created to read:

757.81 (2) "Court commissioner" means a court commissioner under s. 757.68, a family court commissioner under s. 767.13, a juvenile court commissioner under s. 48.065 and a probate court commissioner under s. 757.72.

SECTION 1145e. 757.81 (6) of the statutes is amended to read:

757.81 (6) "Permanent disability" means a physical or mental incapacity which impairs the ability of a judge or court commissioner to substantially perform the duties of his or her judicial office and which is or is likely to be of a permanent or continuing nature.

SECTION 1145f. 757.83 (1) (a) of the statutes is amended to read:

757.83 (1) (a) There is created a judicial commission of 9 members: 5 nonlawyers nominated by the governor and appointed with the advice and consent of the senate; one trial judge of a court of record and one court of appeals judge appointed by the supreme court; and 2 members of the state bar of Wisconsin, who are not judges or court commissioners, appointed by the supreme court. The commission shall elect one of its members as chairperson.

SECTION 1145g. 757.85 (1) (a) of the statutes is amended to read:

757.85 (1) (a) The commission shall investigate any possible misconduct or permanent disability of a judge or court commissioner. Misconduct constitutes cause under article VII, section 11, of the constitution. Except as provided in par. (b), judges, court commissioners, clerks, court reporters, court employes and attorneys shall comply with requests by the commission for information, documents and other materials relating to an investigation under this section.

SECTION 1145i. 757.85 (1) (b) of the statutes is amended to read:

757.85 (1) (b) The judge or court commissioner who is under investigation is not subject to the request procedure under par. (a) but is subject to the subpoena procedure under sub. (2).

SECTION 1145k. 757.85 (3) to (5) of the statutes are amended to read:

757.85 (3) The commission may notify a judge or court commissioner that the commission is investigating possible misconduct by or permanent disability of the judge or court commissioner. Before finding probable cause, the commission shall notify the judge or court commissioner of the substance of the complaint or petition and afford the judge or court commissioner a reasonable opportunity to respond. If the judge or court commissioner responds, the commission shall consider the response before it finds probable cause.

(4) The commission may require a judge or court commissioner who is under investigation for permanent disability to submit to a medical examination arranged by the commission.

(5) The commission shall, upon a finding of probable cause that a judge or court commissioner has engaged or is engaging in misconduct, file a formal complaint with the supreme court. Upon a finding of probable cause that a judge or court commissioner has a permanent disability, the commission shall file a petition with the supreme court. If the commission requests a jury under s. 757.87 (1), the request shall be attached to the formal complaint or the petition.

SECTION 1145m. 757.87 (1) of the statutes is amended to read:

757.87 (1) After the commission has found probable cause that a judge or court commissioner has engaged in misconduct or has a permanent disability, and before the commission files a formal complaint or a petition under s. 757.85 (5), the commission may, by a majority of its total membership not disqualified from voting, request a jury hearing. If a jury is not requested, the matter shall be heard by a panel constituted under sub. (3). The vote of each member on the question of a jury request shall be recorded and shall be available for public inspection under s. 19.35 after the formal complaint or the petition is filed.

SECTION 1145p. 757.89 of the statutes is amended to read:

757.89 Hearing. A record shall be kept of any hearing on a formal complaint or a petition. The allegations of the complaint or petition must be proven to a reasonable certainty by evidence that is clear, satisfactory and convincing. The hearing shall be held in the county where the judge or court commissioner resides unless the presiding judge changes venue for cause shown or unless the parties otherwise agree. If the hearing is by a panel, the panel shall make findings of fact, conclusions of law and recommendations regarding appropriate discipline for misconduct or appropriate action for permanent disability and file the findings, conclusions and recommendations with the supreme court. If a jury hearing is requested under s. 757.87 (1), the presiding judge shall instruct the jury regarding the law applicable to judicial misconduct or permanent disability, as appropriate. The presiding

judge shall file the jury verdict and his or her recommendations regarding appropriate discipline for misconduct or appropriate action for permanent disability with the supreme court.

SECTION 1145r. 757.93 (1) of the statutes is amended to read:

757.93 (1) (a) All proceedings under ss. 757.81 to 757.99 relating to misconduct or permanent disability prior to the filing of a petition or formal complaint by the commission are confidential unless a judge or court commissioner waives the right to confidentiality in writing to the commission. Any such waiver does not affect the confidentiality of the identity of a person providing information under par. (b).

(b) Any person who provides information to the commission concerning possible misconduct or permanent disability may request that the commission not disclose his or her identity to the judge or court commissioner prior to the filing of a petition or a formal complaint by the commission.

SECTION 1145t. 757.93 (2) of the statutes is amended to read:

757.93 (2) If prior to the filing of a formal complaint or a petition an investigation of possible misconduct or permanent disability becomes known to the public, the commission may issue statements in order to confirm the pendency of the investigation, to clarify the procedural aspects of the disciplinary proceedings, to explain the right of the judge or court commissioner to a fair hearing without prejudice, to state that the judge or court commissioner denies the allegations, to state that an investigation has been completed and no probable cause was found or to correct public misinformation.

SECTION 1145v. 757.93 (4) (a) of the statutes is amended to read:

757.93 (4) (a) Referring to the director of state courts information relating to an alleged delay or an alleged temporary disability of a judge or court commissioner.

SECTION 1145w. 757.95 of the statutes is amended to read:

757.95 Temporary suspension by supreme court. The supreme court may, following the filing of a formal complaint or a petition by the commission, prohibit a judge or court commissioner from exercising the powers of a judge or court commissioner pending final determination of the proceedings.

SECTION 1145x. 757.97 of the statutes is amended to read:

757.97 Annual report. The commission shall issue an annual report on or before April 1 of each year which provides information on the number and nature of complaints received and their disposition, and the nature of actions it has taken privately concerning the conduct of judges or court commissioner. Information contained in the annual report shall be presented in a manner consistent with the confidentiality requirements under s. 757.93. The report shall be filed

with the chief justice of the supreme court, the governor and the presiding officers of the senate and the assembly.

SECTION 1145y. 757.99 of the statutes is amended to read:

757.99 Attorney fees. A judge or court commissioner against whom a petition alleging permanent disability is filed by the commission shall be reimbursed for reasonable attorney fees if the judge or court commissioner is found not to have a permanent disability. A judge or court commissioner against whom a formal complaint alleging misconduct is filed by the commission and who is found not to have engaged in misconduct may be reimbursed for reasonable attorney fees. Any judge or court commissioner seeking recovery of attorney fees authorized or required under this section shall file a claim with the claims board under s. 16.53.

SECTION 1146a. 758.15 of the statutes is created to read:

758.15 Mediation council. (1) MEMBERSHIP; APPOINTMENT; TERMS. (a) There is created a mediation council consisting of the following members appointed by the chief justice of the supreme court for 3-year terms:

1. Five persons with substantial experience in conducting family mediation.
2. One member of the state bar who has an interest and involvement in family law and mediation.
3. One circuit judge.
4. Two persons who are not public officers or employees and who have a significant interest in and knowledge of mediation.

(b) Council members shall receive no compensation, but shall be reimbursed from the appropriation under s. 20.680 (2) (c) for expenses that they necessarily incur to attend council meetings.

(2) DUTIES. The council shall:

- (a) Elect a chairperson and vice chairperson.
- (c) Meet as necessary to carry out its duties. The chairperson, or in the absence of the chairperson the vice chairperson, shall call meetings. Five members constitute a quorum.

(d) Assist the county directors of family court counseling services and the county family court counseling offices in establishing and developing their services.

(e) Make recommendations for and approve appropriate mediation training programs for mediators who provide mediation services under s. 767.11.

(f) Make recommendations for mediator qualifications in addition to those specified in s. 767.11 (4) for mediators who provide mediation services under s. 767.11.

(g) Make recommendations for appropriate continuing mediator education programs for mediators who provide mediation services under s. 767.11.

Vetoed
in Part

Vetoed
in Part

(h) ~~Make recommendations for legislation necessary to improve the efficiency and effectiveness of mediation provided under s. 767.11.~~

(2m) ~~APPOINTMENT OF EXECUTIVE SECRETARY. The director of state courts shall, with the advice of the mediation council, appoint an executive secretary outside the classified service to perform the functions and duties that the council assigns to the executive secretary.~~

(3) ~~OFFICE SPACE ASSISTANCE. The director of state courts shall provide adequate office space for the executive secretary of the council and provide clerical and other assistance to the council and the council executive secretary as necessary for the performance of their duties.~~

SECTION 1146cm. 765.15 of the statutes is amended to read:

765.15 Fee to county clerk. Each county clerk shall receive as a fee for each license granted the sum of ~~\$29.50~~ \$49.50, of which ~~\$4.50~~ \$24.50 shall become a part of the funds of the county, and \$25 shall be paid into the state treasury. The county shall use \$20 of the amount that it retains from each license fee only for expenses incurred under s. 767.11. Each county board may increase the license fee of ~~\$29.50~~ \$49.50 by any amount, which amount shall become a part of the funds of the county. The clerk shall also receive a standard notary fee of 50 cents for each license granted which may be retained by ~~him or her~~ the clerk if operating on a fee or part fee basis, but which otherwise shall become part of the funds of the county.

SECTION 1146dm. 767.11 (12) (a) of the statutes is amended to read:

767.11 (12) (a) Any agreement which resolves issues of legal custody or periods of physical placement between the parties reached as a result of mediation under this section shall be prepared in writing, reviewed by the attorney, if any, for each party and by any appointed guardian ad litem, and submitted to the court to be included in the court order as a stipulation. Any reviewing attorney or guardian ad litem shall certify on the mediation agreement that he or she reviewed it and the guardian ad litem, if any, shall comment on the agreement based on the best interest of the child. The mediator shall certify that the written mediation agreement is in the best interest of the child based on the information presented to the mediator and accurately reflects the agreement made between the parties. The court may approve or reject the agreement, based on the best interest of the child. The court shall state in writing its reasons for rejecting an agreement.

SECTION 1148m. 767.327 (3) (b) 2 of the statutes is amended to read:

767.327 (3) (b) 2. Under this paragraph, the burden of proof is on the parent filing the petition ~~or~~ motion or order to show cause.

Vetoed
in Part

~~SECTION 1151mb. 779.97 (2) (b) and (c) (intro.) of the statutes are amended to read:~~

Vetoed
in Part

~~779.97 (2) (b) Notices Except as provided in sub. (2), notices of liens upon real property for obligations payable to the United States and certificates and notices affecting the liens shall be filed in the office of the register of deeds of the county in which real property subject to the liens is situated.~~

~~(c) (intro.) Notices Except as provided in sub. (2), notices of liens upon personal property, whether tangible or intangible, for obligations payable to the United States and certificates and notices affecting the liens shall be filed as follows:~~

~~SECTION 1151md. 779.97 (2) (c) 1 of the statutes is amended to read:~~

~~779.97 (2) (c) 1. If the person against whose interest the lien applies is a corporation or a partnership or a corporation, as defined in 26 USC 7701 (a) (4) and (2) in force on May 18, 1989 (2) and (3), whose principal executive office is in this state, in the office of the secretary of state.~~

~~SECTION 1151mf. 779.97 (2) (c) 2 of the statutes is renumbered 779.97 (2) (c) 4.~~

~~SECTION 1151mh. 779.97 (2) (c) 2 and 3 of the statutes are created to read:~~

~~779.97 (2) (c) 2. If the person against whose interest the lien applies is a trust not covered under subd. 1., in the office of the secretary of state.~~

~~3. If the person against whose interest the lien applies is the estate of a decedent, in the office of the secretary of state.~~

~~SECTION 1151mj. 779.97 (4) (d) of the statutes is amended to read:~~

~~779.97 (4) (d) Unless a refiling of a notice of lien is presented to a filing officer for filing within 7 1/2 years and 60 days after the date on which a notice of lien or the latest refiling of a notice of that lien is filed with that officer, the filing officer may remove the notice of federal lien and any related refiling of a notice of lien, certificate of nonattachment, discharge or subordination from the files. Any refiling of a notice of lien presented to a filing officer after such removal shall be marked, held and indexed as though the document were a notice of federal lien instead of a refiling of a notice of lien.~~

~~SECTION 1151ml. 779.97 (4) (e) of the statutes is amended to read:~~

~~779.97 (4) (e) Upon request of any person, the filing officer shall issue a certificate showing whether there is on file, on the date and hour stated therein, any notice of federal lien or any related refiling of a notice of lien, certificate of nonattachment, discharge or subordination filed on or after February 1, 1968, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for a certificate is \$2 \$10. Upon request the filing officer shall furnish a copy of any notice of federal lien or notice or certificate affecting a federal lien for a fee of 50 cents \$1 per page.~~

~~SECTION 1151mn. 779.97 (9) of the statutes is created to read:~~

Vetoed
in Part

~~779.07 (9) ELECTRONIC TAX LIEN FILING. (a) *Definition.* In this section, "tax lien" means a lien for federal income taxes under 26 USC 6321.~~

~~(b) *Tax lien filings.* Notices of tax liens and certificates and notices affecting tax liens shall be filed with the secretary of state.~~

~~(c) *Electronic filing.* 1. Under this subsection, the official or entity of the United States responsible for filing tax liens may electronically submit notices of tax liens and certificates and notices affecting tax liens for filing.~~

~~2. Electronic submission under this paragraph entitles the notice of tax lien, certificate or notice to be filed and no other attestation, certification or acknowledgement is necessary.~~

~~3. Receipt by the secretary of state of an electronic submission under this paragraph shall be considered to be a filing and shall have the same effect as the filing of a paper document.~~

~~(d) *Duties of secretary of state.* 1. The secretary of state shall establish and maintain a system for the electronic filing of tax liens. The system shall receive, index, store and retrieve notices of tax liens and certificates and notices affecting tax liens. All of the following information shall be included for each filing in the system:~~

- ~~a. A file number.~~
- ~~b. The name and address of the person against whose interest the tax lien applies.~~
- ~~c. The date and hour of receipt of the filing.~~
- ~~d. The total amount of the tax lien.~~
- ~~e. An identification number for the official or entity of the United States that submits the notice of tax lien, certificate or notice.~~

~~2. The secretary of state shall enter into the electronic filing system any notice of tax lien, certificate or notice that is not submitted electronically for filing.~~

~~3. The secretary of state may incorporate the electronic retrieval of tax liens in the statewide uniform commercial code lien system established under s. 409.410.~~

~~(e) *Transitional provisions.* 1. Notices of tax liens and certificates and notices affecting tax liens that are filed with a filing officer under sub. (2) before the date specified in par. (f) shall be maintained by that filing officer.~~

~~2. Any certificate or notice that affects a tax lien that is filed with a filing officer under sub. (2) before the date specified in par. (f) shall be filed with the same filing officer.~~

~~(f) *Application.* Paragraph (b) applies to notice of tax liens and certificates and notices affecting tax liens that are submitted for filing on or after the first day of the 3rd month beginning after the date on which the secretary of state notifies the internal revenue service that the electronic filing system under par. (d) is in operation.~~

SECTION 1152d. 799.209 (2) of the statutes is amended to read:

799.209 (2) The proceedings shall not be governed by the common law or statutory rules of evidence except those relating to privileges under ch. 905 or to admissibility under s. 901.05. The court or court commissioner shall admit all other evidence having reasonable probative value, but may exclude irrelevant or repetitious evidence or arguments. An essential finding of fact may not be based solely on a declarant's oral hearsay statement unless it would be admissible under the rules of evidence.

SECTION 1156m. 814.61 (5) (b) of the statutes is amended to read:

814.61 (5) (b) Filing and docketing judgments, transcripts of judgments, liens, warrants and awards, including filing and docketing assignments or satisfactions of judgments, liens or warrants, ~~except as provided in par. (e)~~ and withdrawals, satisfactions and voidances of tax warrants under s. 71.91 (5) (g).

SECTION 1156p. 814.61 (5) (c) of the statutes is repealed.

SECTION 1156q. 814.61 (7) (b) of the statutes is amended to read:

814.61 (7) (b) Upon the filing of any petition, motion or order to show cause by either party under s. 767.325 or 767.327, \$50. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the state treasurer for deposit in the general fund, retain 25% for the use of the county and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

SECTION 1156qm. 814.61 (12) (b) (intro.) of the statutes, as affected by 1991 Wisconsin Act 39, 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, and for maintaining the records required under s. 59.39 (9m), an annual fee of up to \$25 to be paid by each party ordered to make payments. The court shall order each party ordered to make payments to pay the annual fee ~~for each order~~ at the time of, and in addition to, the first payment to the clerk in each year for which payments are ordered. At the time of ordering the payment of an annual fee, the court shall notify each party ordered to make payments of the requirement to pay the annual fee ~~for each order~~ and of the amount of the annual fee. 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 1156r. 814.615 (1) (a) 2 and 3 of the statutes are amended to read:

814.615 (1) (a) 2. For all mediation provided after the first session mediation described under subd. 1, a single fee of ~~\$400~~ \$200, regardless of the number of mediation sessions held.

Vetoed
in Part

Vetoed
in Part

~~3 For a study under s. 767.11 (14), a fee of \$300
\$600.~~

SECTION 1157m. 814.615 (2) of the statutes is amended to read:

814.615 (2) In lieu of the ~~fees fee~~ under sub. (1) (a) 2 or 3, a county may establish a fee schedule to recover its reasonable costs of providing family court counseling services under s. 767.11. The A fee schedule established under this subsection may apply in lieu of the fee under sub. (1) (a) 2 or 3 or both, and shall require no fee for the first mediation session conducted upon referral under s. 767.11 (5); provide for payment for any other services based on the parties' ability to pay; and take into account the fees the county collects under s. 814.61 (1) (b) and (7) (b). Fees shall be based on services actually provided. The county may not collect a single fee applicable without regard to the number of sessions or services provided. Subject to sub. (3), the county shall provide family court counseling services to the parties even if both parties are unable to pay.

SECTION 1158. 823.085 of the statutes is created to read:

823.085 Actions against owners or operators of solid waste facilities. (1) In this section, "solid waste facility" has the meaning given in s. 144.43 (5).

(2) In any action finding a solid waste facility or the operation of a solid waste facility to be a public or private nuisance, if the solid waste facility was licensed under s. 144.44 (4) (a) and was operated in substantial compliance with the license, the plan of operation for the solid waste facility approved by the department of natural resources and the rules promulgated under s. 144.435 (1) that apply to the facility, then all of the following apply:

(a) Notwithstanding s. 823.03, the court may not order closure of the solid waste facility or substantial restriction in the operation of the solid waste facility unless the court determines that the continued operation of the solid waste facility is a threat to public health and safety.

(b) The department of natural resources shall comply with a request by the court to provide suggestions for practices to reduce the offensive aspects of the nuisance.

(c) The amount recovered by any person for damage to real property may not exceed the value of the real property as of the date that the solid waste facility began operation increased by 8% per year.

(d) Punitive damages may not be awarded.

SECTION 1158m. 857.035 of the statutes is created to read:

857.035 Disposition of patient health care records. If the decedent was a health care provider, as defined under s. 146.81 (1), who was an independent practitioner, the personal representative shall comply with s. 146.819.

SECTION 1159. 867.035 (1) (intro.) and (d) 2 of the statutes, as created by 1991 Wisconsin Act 39, are amended to read:

867.035 (1) (intro.) The department of health and social services may collect the funds of a decedent who received medical assistance under ss. 49.45 to 49.47 ~~after attaining age 65 or~~ while residing in a nursing home, as defined in s. 50.01 (3), and who dies after September 30, 1991, if all of the following conditions are satisfied:

(d) 2. The ~~total of the amount of medical assistance benefits paid on behalf of the decedent after the decedent attained age 65 plus the amount of medical assistance benefits paid on behalf of the decedent while the decedent resided in a nursing home.~~

~~SECTION 1159m. 885.01 (4) of the statutes is amended to read:~~

~~885.01 (4) By any arbitrator, coroner, medical examiner, board, commission, commissioner, examiner, committee or other person authorized to take testimony, or by any member of a board, commission, authority or committee which is authorized to take testimony, within their jurisdictions, to require the attendance of witnesses, and their production of documentary evidence before them, respectively, in any matter, proceeding or examination authorized by law, and likewise by the secretary of revenue and by any agent of the department of agriculture and trade and consumer protection.~~

SECTION 1160m. 893.82 (2) (d) 1r of the statutes is created to read:

893.82 (2) (d) 1r. A physician under s. 140.05 (16) (fm) 2.

~~SECTION 1161. 895.05 (3) of the statutes is amended to read:~~

~~895.05 (3) Before any civil action shall be commenced on account of any libelous publication in any newspaper, magazine or periodical, the libeled person shall first give those alleged to be responsible or liable for the publication a reasonable opportunity to correct the libelous matter. Such opportunity shall be given by notice in writing specifying the article and the statements therein which are claimed to be false and defamatory and a statement of what are claimed to be the true facts. The notice may also state the sources, if any, from which the true facts may be ascertained with definiteness and certainty. The first issue published after the expiration of one week from the receipt of such notice shall be within a reasonable time for correction. To the extent that the true facts are, with reasonable diligence, ascertainable with definiteness and certainty, only a retraction shall constitute a correction; otherwise the publication of the libeled person's statement of the true facts, or so much thereof as shall not be libelous of another, scurrilous or otherwise improper for publication, published as his statement, shall constitute a correction within the meaning of this section. A correction, timely published, without comment, in a position and type as prominent as the~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~alleged libel, headed by the title "RETRACTION" in 18-point type or larger, shall constitute a defense against the recovery of any damages except actual damages, as well as being competent and material in mitigation of actual damages to the extent the correction published does so mitigate them.~~

SECTION 1161g. 895.46 (5) of the statutes is renumbered 895.46 (5) (intro.) and amended to read:

895.46 (5) (intro.) The protection afforded by this section applies to any of the following:

(a) A volunteer health care provider who provides services under s. 146.89.

SECTION 1161gd. 895.46 (5) (b) of the statutes is created to read:

895.46 (5) (b) A physician under s. 140.05 (16) (fm) 2.

SECTION 1161m. 895.54 of the statutes is created to read:

895.54 Liability exemption; notification of release. A person is immune from any liability regarding any act or omission regarding the notification of any applicable office or person under s. 51.37 (10), 304.06 (1) or 971.17 (4m) or (6m). This section does not apply to wilful or wanton acts or omissions.

SECTION 1161p. 895.57 (3) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

895.57 (3) Subsection (2) does not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.52, 29.573, 29.574, 29.575 or 29.578 or 29.58 or designated as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture, trade and consumer protection if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties.

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in Part

~~SECTION 1161r. 895.57 (3) of the statutes, as affected by 1991 Wisconsin Act 20, (this act) is repealed and recreated to read:~~

~~895.57 (3) Subsection (2) does not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.52, 29.573, 29.574, 29.575, 29.578 or 29.58 or designated as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture and trade if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties.~~

SECTION 1161um. 901.04 (1) of the statutes is amended to read:

901.04 (1) **QUESTIONS OF ADMISSIBILITY GENERALLY.** Preliminary questions concerning the qualification of a person to be a witness, the existence of a privilege, or the admissibility of evidence shall be determined by the judge, subject to sub. (2) and ss. 971.31 (11) and 972.11 (2). In making the determination the judge is bound by the rules of evidence only with respect to privileges and as provided in s. 901.05.

SECTION 1161un. 901.05 (2) (intro.) of the statutes is amended to read:

901.05 (2) (intro.) The Except as provided in sub. (3), the results of a test or tests for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV and the fact that a person has been ordered or required to submit to such a test or tests under s. 968.38 (4) are not admissible during the course of a civil or criminal action or proceeding or an administrative proceeding, as evidence of a person's character or a trait of his or her character for the purpose of proving that he or she acted in conformity with that character on a particular occasion unless the evidence is admissible under s. 904.04 (1) or 904.05 (2) and unless the following procedures are used:

SECTION 1161up. 901.05 (3) of the statutes is created to read:

901.05 (3) The results of a test or tests under s. 968.38 (2) (c) and (4), ~~the fact that an individual is required to obtain a test under s. 968.38 (2) (c) and the fact that a person has been ordered to submit to such a test or tests under s. 968.38 (4) are not admissible during the course of a civil or criminal action or proceeding or an administrative proceeding.~~

Vetoed
in Part

SECTION 1162. 908.03 (6m) (c) 3 of the statutes is amended to read:

908.03 (6m) (c) 3. If upon a properly authorized request of an attorney, the health care provider refuses, fails or neglects to supply within 2 business days a legible certified duplicate of its records at a rate of \$5 per request or 10 cents per record page and \$2 per X-ray copy, whichever is greater for the fees established under par. (d).

SECTION 1163am. 908.03 (6m) (d) of the statutes is created to read:

908.03 (6m) (d) *Fees.* The department of health and social services shall, by rule, prescribe uniform fees based on an approximation of the actual costs that a health care provider may charge under par. (c) 3 for certified duplicate health care records. The rule shall also allow the health care provider to charge for postage or other delivery costs.

SECTION 1163g. 911.01 (4) (intro.) of the statutes is amended to read:

911.01 (4) **RULES OF EVIDENCE INAPPLICABLE.** (intro.) Chapters 901 to 911 (, other than ch. 905 with respect to privileges) or s. 901.05 with respect to admissibility, do not apply in the following situations:

SECTION 1163m. 939.74 (2) (c) of the statutes is amended to read:

939.74 (2) (c) A prosecution for violation of s. 948.02, 948.03, 948.04, 948.05, 948.06, 948.07 or 948.08 may be commenced within the time period specified in sub. (1) or by the time the victim reaches the age of 21 years, whichever is later.

~~SECTION 1169m. 940.22 (4) (a) of the statutes is amended to read:~~

~~940.22 (4) (a) All reports and records made from reports under sub. (3) and maintained by the depart-~~

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~~ment, examining boards, district attorneys and other persons, officials and institutions shall be confidential and are exempt from disclosure under s. 19.35 (1) (a). Information regarding the identity of a victim or alleged victim of sexual contact by a therapist shall not be disclosed by a reporter or by persons who have received or have access to a report or record unless disclosure is consented to in writing by the victim or alleged victim. The report of information under sub. (3) and the disclosure of a report or record under this subsection does not violate any person's responsibility for maintaining the confidentiality of patient health care records, as defined in s. 146.81 (4) and as required under s. 146.82. Reports and records may be disclosed only to appropriate staff of a district attorney or a law enforcement agency within this state for purposes of investigation or prosecution.~~

SECTION 1171p. 943.75 (3) of the statutes, as created by 1991 Wisconsin Act 20, is amended to read:

943.75 (3) Subsection (2) does not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.52, 29.573, 29.574, 29.575 or 29.578 or 29.58 or designated as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture, trade and consumer protection if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties. This subsection does not limit any other person from claiming the defense of privilege under s. 939.45 (3).

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~~SECTION 1171r. 943.75 (3) of the statutes, as affected by 1991 Wisconsin Act 20, (this act) is repealed and recreated to read:~~

~~943.75 (3) Subsection (2) does not apply to any humane officer, local health officer, peace officer, employe of the department of natural resources while on any land licensed under s. 29.52, 29.573, 29.574, 29.575, 29.578 or 29.58 or designated as a wildlife refuge under s. 29.57 (1) or employe of the department of agriculture and trade if the officer's or employe's acts are in good faith and in an apparently authorized and reasonable fulfillment of his or her duties. This subsection does not limit any other person from claiming the defense of privilege under s. 939.45 (3).~~

SECTION 1172m. 945.01 (3) (b) 1 of the statutes is amended to read:

945.01 (3) (b) 1. A device used in conducting a bingo occasion or raffle event under ch. 463 563, used in conducting a lottery under ch. 565 or used in conducting a race under ch. 562.

SECTION 1174m. 945.01 (4) (am) of the statutes is amended to read:

945.01 (4) (am) "Gambling place" does not include a place where bingo or a raffle is conducted under ch. 463 563, where a lottery is conducted under ch. 565 or where a race is conducted under ch. 562.

SECTION 1175am. 945.01 (5) (am) of the statutes is amended to read:

945.01 (5) (am) "Lottery" does not include bingo or a raffle conducted under ch. 463 563, pari-mutuel wagering conducted under ch. 562 or the state lottery or any multistate lottery conducted under ch. 565.

~~SECTION 1175m. 945.01 (5) (b) 2 g. of the statutes is amended to read:~~

~~945.01 (5) (b) 2 g. To use a chance promotion exempt under s. 400.16 130.16 (2).~~

Vetoed
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SECTION 1177m. 945.041 (10) of the statutes is amended to read:

945.041 (10) No proceeding under this section may be commenced for violations of ch. 463 563.

SECTION 1182m. 950.045 of the statutes is amended to read:

950.045 (title) Victims; application for parole or pardon; releases. Victims of crimes have the right to provide written statements concerning parole applications under s. 304.06 (1) (e) and to provide written statements concerning pardon applications under s. 304.10 (2). Victims of crimes have the right to be notified by district attorneys under s. 971.17 (4m) regarding conditional releases under s. 971.17.

SECTION 1182q. 968.34 (2m) of the statutes is created to read:

968.34 (2m) The prohibition of sub. (1) does not apply to a telephone caller identification service authorized under s. 196.207 (2).

SECTION 1182r. 968.38 of the statutes is created to read:

968.38 Testing for HIV infection and certain diseases. (1) In this section:

(a) "Health care professional" means a physician or a registered nurse or licensed practical nurse who is licensed under ch. 441.

(b) "HIV" means any strain of human immunodeficiency virus, which causes acquired immunodeficiency syndrome.

(bm) "Physician" has the meaning given in s. 448.01 (5).

(c) "Sexually transmitted disease" has the meaning given in s. 143.07 (1).

(d) "Significantly exposed" has the meaning given in s. 146.025 (1) (em).

(2) In a criminal action under s. 940.225, 948.02, 948.05 or 948.06, if all of the following apply, the district attorney shall apply to the circuit court for his or her county to order the defendant to submit to a test or a series of tests administered by a health care professional to detect the presence of HIV, antigen or nonantigenic products of HIV, an antibody to HIV or a sexually transmitted disease and to disclose the results of the test or tests as specified in sub. (4) (a) to (c):

(a) The district attorney has probable cause to believe that the defendant has significantly exposed the alleged victim or victim.

(b) The alleged victim or victim who is not a minor or the parent or guardian of the alleged victim or vic-

tim who is a minor requests the district attorney to so apply for an order.

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~~(c) The alleged victim or victim obtains, after the alleged significant exposure and before 6 days after any request is made under par. (b), a like test for herself or himself, at a site that provides counseling, as funded under s. 146.022(2) (a) B, or from a health care professional, regardless of whether he or she has previously obtained a test for himself or herself.~~

(3) The district attorney may apply under sub. (2) for an order at any of the following times, and, within those times, shall do so as soon as possible so as to enable the court to provide timely notice:

(a) At or after the initial appearance and prior to the preliminary examination.

(b) If the defendant waives the preliminary examination, at any time after the court binds the defendant over for trial and before a verdict is rendered.

(c) If the defendant is convicted, before 53 days after conviction.

(4) The court shall set a time for a hearing on the matter under sub. (2) during the preliminary examination, if sub. (3) (a) applies; after the defendant is bound over for trial and before a verdict is rendered, if sub. (3) (b) applies; or before 60 days after conviction, if sub. (3) (c) applies. The court shall give the district attorney and the defendant notice of the hearing at least 72 hours prior to the hearing. The defendant may have counsel at the hearing, and counsel may examine and cross-examine witnesses. If the court finds probable cause to believe that the defendant has significantly exposed the victim or alleged victim, the court shall, except as provided in sub. (5), order the defendant to submit to a test or a series of tests administered by a health care professional to detect the presence of HIV, antigen or nonantigenic products of HIV, an antibody to HIV or a sexually transmitted disease. The court shall require the health care professional who performs the test to refrain from disclosing the test results to the defendant; to refrain, notwithstanding s. 146.025 (4) (c), from making the test results part of the defendant's permanent medical record; and to disclose the results of the test to any of the following:

(a) The alleged victim or victim, if the alleged victim or victim is not a minor.

(b) The parent or guardian of the alleged victim or victim, if the alleged victim or victim is a minor and if the court determines that it is in the alleged victim's or victim's best interests that the parent or guardian receive this information.

(c) The health care professional who provides care to the alleged victim or victim, upon request by the alleged victim or victim or, if the alleged victim or victim is a minor, by the parent or guardian of the alleged victim or victim.

(5) The court is not required to order the defendant to submit to a test or a series of tests under sub. (4) if the court finds substantial reason relating to the

health or life of the defendant not to do so and states the reason on the record.

SECTION 1182t. 969.08 (8) of the statutes is amended to read:

969.08 (8) Information stated in, or offered in connection with, any order entered under this chapter setting bail or other conditions of release need not conform to the rules of evidence, except as provided under sub. (5) (b) 2 or s. 901.05.

SECTION 1183c. 971.17 (3) (e) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

971.17 (3) (e) An order for conditional release places the person in the custody and control of the department of health and social services. A conditionally released person is subject to the conditions set by the court and to the rules of the department of health and social services. Before a person is conditionally released by the court under this subsection, the court shall so notify the municipal police department and county sheriff for the area where the person will be residing. The notification requirement under this paragraph does not apply if a municipal department or county sheriff submits to the court a written statement waiving the right to be notified. If the department of health and social services alleges that a released person has violated any condition or rule, or that the safety of the person or others requires that conditional release be revoked, he or she may be taken into custody under the rules of the department. The department of health and social services shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of health and social services may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution under s. 51.37 (3) until the expiration of the commitment or until again conditionally released under this section.

SECTION 1183g. 971.17 (4m) of the statutes is created to read:

971.17 (4m) NOTICE TO VICTIMS ABOUT CONDITIONAL RELEASE. (a) In this subsection:

1. "Crime" has the meaning designated in s. 949.01 (1).
2. "Member of the family" means spouse, child, sibling, parent or legal guardian.
3. "Victim" means a person against whom a crime has been committed.

(b) If the court conditionally releases a defendant under this section, the district attorney shall notify the following person, if he or she can be found, in accordance with par. (c): the victim of the crime committed by the defendant or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian.

(c) The notice under par. (b) shall inform the person under par. (b) of the defendant's name and conditional release date. The district attorney shall send the notice, postmarked no later than 7 days after the court orders the conditional release under this section, to the last-known address of the person under par. (b).

(d) Upon request, the department of health and social services shall assist district attorneys in obtaining information regarding persons specified in par. (b).

SECTION 1183m. 971.17 (6m) of the statutes is created to read:

971.17 (6m) NOTICE TO VICTIMS ABOUT TERMINATION OR DISCHARGE. (a) In this subsection:

1. "Crime" has the meaning designated in s. 949.01 (1).
2. "Member of the family" means spouse, child, sibling, parent or legal guardian.
3. "Victim" means a person against whom a crime has been committed.

(b) If the court orders that the defendant's commitment is terminated under sub. (5) or that the defendant be discharged under sub. (6), the department of health and social services shall notify the victim of the crime committed by the defendant, or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian, after the submission of a card under par. (d) requesting notification.

(c) The notice under par. (b) shall inform the person under par. (b) of the defendant's name and termination or discharge date. The department of health and social services shall send the notice, postmarked at least 7 days before the defendant's termination or discharge date, to the last-known address of the person under par. (b).

(d) The department of health and social services shall design and prepare cards for persons specified in par. (b) to send to the department. The cards shall have space for these persons to provide their names and addresses, the name of the applicable defendant and any other information the department determines is necessary. The department shall provide the cards, without charge, to district attorneys. District attor-

neys shall provide the cards, without charge, to persons specified in par. (b). These persons may send completed cards to the department. All departmental records or portions of records that relate to mailing addresses of these persons are not subject to inspection or copying under s. 19.35 (1), except as needed to comply with a request under sub. (4m) (d).

SECTION 1185. 973.011 (2) of the statutes, as created by 1991 Wisconsin Act 39, is amended to read:

973.011 (2) Beginning July 1, ~~1992~~ 1994, the sentencing commission shall provide guideline matrices for judges for sentencing defendants convicted of felonies identifying cases in which the presumptively appropriate sentence is to the intensive sanctions program. The commission shall design the guideline matrices to encourage the use of that sentence for offenders who show a low risk of assaultive behavior and to limit the use of that sentence for persons who would be placed on probation if the intensive sanctions program did not exist.

SECTION 1187cm. 973.06 (1) (h) of the statutes is created to read:

973.06 (1) (h) The cost of performance of a test under s. 968.38, if ordered by the court.

SECTION 1187cv. 973.20 (14) (d) of the statutes is amended to read:

973.20 (14) (d) All parties interested in the matter shall have an opportunity to be heard, personally or through counsel, to present evidence and to cross-examine witnesses called by other parties. The court, arbitrator or referee shall conduct the proceeding so as to do substantial justice between the parties according to the rules of substantive law and may waive the rules of practice, procedure, pleading or evidence, except provisions relating to privileged communications and personal transactions or communication with a decedent or mentally ill person or to admissibility under s. 901.05. Discovery is not available except for good cause shown. If the defendant is incarcerated, he or she may participate by telephone under s. 807.13 unless the court issues a writ or subpoena compelling the defendant to appear in person.

SECTION 1187g. 977.03 of the statutes is renumbered 977.03 (1).

SECTION 1187r. 977.03 (2) of the statutes is created to read:

977.03 (2) The board may promulgate rules to establish exceptions to limiting the amount that may be reimbursed for investigative or expert services under s. 977.05 (4r) to the maximum amount contained in the authorization under s. 977.05 (4r) (b).

SECTION 1188m. 977.05 (4r) of the statutes is created to read:

977.05 (4r) SERVICES REIMBURSEMENT. (a) The state public defender may not provide reimbursement for investigative or expert services provided in a case assigned to private counsel under s. 977.08 unless the private counsel has received authorization from the

state public defender to retain an investigator or expert.

(b) An authorization under par. (a) shall state a maximum amount that may be reimbursed, and the state public defender may not pay more than that amount except as allowed under the rules promulgated under s. 977.03 (2).

Vetoed in Part SECTION 1189k. 979.01 (1x) of the statutes is created to read:

979.01 (1x). The inmate death investigation board does not have to report under sub. (1) regarding the death of an inmate if the secretary of corrections or any department of corrections employee has already done so.

Vetoed in Part SECTION 1189m. 1983 Wisconsin Act 536, section 4 is amended to read:

[1983 Wisconsin Act 536] Section 4. Effective date. This act takes effect on the first day of the 3rd month commencing after the governor certifies, by executive order directed to the secretary of agriculture, and trade and consumer protection and published in the official state newspaper, that all states contiguous to the borders of this state have in effect milk content requirements identical to those requirements created by this act.

SECTION 1191. 1991 Wisconsin Act 39, section 9101 (4mx) (a) (intro.) is renumbered section 9101 (4mx) and amended to read:

[1991 Wisconsin Act 39] Section 9101 (4mx) The Notwithstanding section 15.107 (13) of the statutes, the terms of the initial members of the privacy council appointed under section 15.107 (13) (a) of the statutes, as created by this act, expire as follows: on the day before the effective date of 1991 Wisconsin Act (this act).

SECTION 1192. 1991 Wisconsin Act 39, section 9101 (4mx) (a) 1 to 3 are repealed.

SECTION 1193. 1991 Wisconsin Act 39, section 9101 (4mx) (b) is repealed.

SECTION 1194. 1991 Wisconsin Act 39, section 9101 (9c) is amended to read:

[1991 Wisconsin Act 39] Section 9101 (9c) MANAGEMENT AND EFFICIENCY STUDY. The department of administration shall may contract with a private consultant to study the management and operational efficiency of the department of health and social services, the department of natural resources or the university of Wisconsin system. The. If the department contracts for the study, the study shall include an examination of the current operation of the department or agency selected by the department of administration for the study and the current organizational arrangements and staffing levels of that the department or agency. The of natural resources, with special consideration given to an evaluation of the forestry program.

Vetoed in Part The study shall also include an analysis of the salaries paid to all personnel employed by the department of natural resources in comparison to the salaries for other public and private positions with comparable

functions, and an analysis of any recruitment or retention problems with departmental positions. If the department of administration contracts for the study, the study shall be accompanied by a report that contains the results of the study, together with specific recommendations for changes in staffing levels. The report shall specifically address whether any positions may be reallocated or eliminated without an unacceptable reduction in operational efficiency.

The. If the department contracts for the study, the secretary of administration shall transmit the report to the governor, to the chairperson of the governor's council on forestry as created by executive order 109 dated January 25, 1991, and to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes no later than January July 1, 1993 1994. The secretary of administration shall report to the chairpersons of the joint committee on finance at its 2nd quarterly meeting in 1992 under section 13.10 of the statutes concerning whether the department has contracted or will contract for the study and, if the department has not contracted and will not contract for the study, the reasons why the study will not be conducted.

SECTION 1194m. 1991 Wisconsin Act 39, section 9108 (20) is repealed.

SECTION 1194mc. 1991 Wisconsin Act 39, section 9108 (22g) is amended to read:

[1991 Wisconsin Act 39] Section 9108 (22g) ENVIRONMENTAL HEALTH LABORATORY AT UNIVERSITY OF WISCONSIN-SUPERIOR. Notwithstanding section 20.924 (1) of the statutes, the building commission, with the approval of the joint committee on finance, may no later than June 30, 1993, authorize construction of an environmental health laboratory at the university of Wisconsin-Superior without enumeration of the project in the authorized state building program. The board of regents of the university of Wisconsin system shall allocate \$250,000 from the appropriation under section 20.285 (1) (a) of the statutes for this project in fiscal year 1991-92. The commission shall not authorize construction unless sufficient federal and local government funds are received to finance the remainder of the cost of funding for the project may be provided from other state government, federal or local government or private sources.

Vetoed in Part SECTION 1195. 1991 Wisconsin Act 39, section 9115 (5c) (b) is amended to read:

[1991 Wisconsin Act 39] Section 9115 (5c) (b) From the appropriation under section 20.143 (2) (bm) of the statutes, as amended by this act, the department of development shall provide \$25,000 \$15,000 to each local heritage tourism program in the 1991-93 biennium. The timing of the disbursement of the grant proceeds shall be at the discretion of each local heritage tourism program.

SECTION 1195g. 1991 Wisconsin Act 39, section 9125 (2j) (b) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (b) *Allocation*. Subject to paragraph (h), the department shall allocate the federal child care and development block grant funds received under 42 USC 9858 and appropriated under section 20.435 (7) ~~(e) (md)~~ of the statutes, as affected by this act, ~~that are not allocated for child day care services under section 46.40 (4) (a) 2 of the statutes, as created by this act, as provided in paragraphs (c) to (g) (f).~~

SECTION 1195h. 1991 Wisconsin Act 39, section 9125 (2j) (c) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (c) *Start-up and expansion*. For start-up and expansion of child day care services, the department shall allocate \$1,590,100 in fiscal year 1991-92 and \$1,268,500 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act. In distributing funds allocated under this paragraph, the department shall give priority to increasing the availability of child day care services for infants and to increasing the availability of child day care services in economically depressed urban and rural areas, on federally recognized American Indian reservations and in bureau of Indian affairs service areas for the Winnebago tribe. The department shall attempt to distribute the funds allocated under this paragraph equally among head start agencies designated under 42 USC 9836, employers that provide or wish to provide child day care services for the children of their employes, family day care centers, group day care centers and day care programs for the children of student parents, but may, after considering proposals from child care providers in each of those categories, distribute the funds allocated under this paragraph in unequal amounts among those categories.

SECTION 1195i. 1991 Wisconsin Act 39, section 9125 (2j) (d) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (d) *Resource and referral services*. For child day care resource and referral services for parents, the department shall allocate \$834,400 in fiscal year 1991-92 and \$928,800 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act. The department shall distribute funds allocated under this paragraph to continue funding the child care resource and referral centers that were funded under section 46.981 of the statutes during the 1989-91 state fiscal biennium and to establish new child care resource and referral centers in areas that were not served by child care resource and referral centers funded under section 46.981 of the statutes during the 1989-91 state fiscal biennium.

SECTION 1195j. 1991 Wisconsin Act 39, section 9125 (2j) (e) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (e) *Quality standards*. The department shall promulgate rules establishing quality of care standards that are higher than the standards required for licensure under section 48.65 of the statutes or for certification under sec-

tion 48.651 of the statutes. To assist child care providers in meeting the quality of care standards established by rules promulgated under this paragraph and to reimburse, at a rate higher than the rate established under section 46.98 (4) (d) of the statutes, as affected by this act, child care providers that meet those quality of care standards, the department shall allocate \$600,000 in fiscal year 1991-92 and \$1,200,000 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act.

SECTION 1195k. 1991 Wisconsin Act 39, section 9125 (2j) (f) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (f) *Quality improvement*. For activities to improve the quality of child day care services provided in this state and for costs incurred by the department in licensing child care providers under section 48.65 of the statutes, the department shall allocate \$730,000 in fiscal year 1991-92 and \$822,900 in fiscal year 1992-93 from the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act. Quality improvement activities funded under this paragraph may include training for the employes of child care providers and projects to improve the retention of employes of child care providers. The department may expend no more than 50% of the amounts allocated under this paragraph on costs incurred in licensing child care providers under section 48.65 of the statutes.

SECTION 1195L. 1991 Wisconsin Act 39, section 9125 (2j) (g) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (g) *Positions*. The Subject to paragraph (h), the department shall allocate \$107,400 in fiscal year 1991-92 and \$132,700 in fiscal year 1992-93 from the appropriation under section 20.435 (6) (mc) of the statutes, as affected by this act, to increase the authorized FTE positions for the department by 3.0 FED positions for the purposes of providing technical assistance for child care providers and of administering the child care programs funded under section 20.435 (7) (b) and (md) of the statutes, as affected by this act, and under section 20.435 (7) (o) of the statutes, as affected by this act and by 1991 Wisconsin Act (this act).

SECTION 1195m. 1991 Wisconsin Act 39, section 9125 (2j) (h) is amended to read:

[1991 Wisconsin Act 39] Section 9125 (2j) (h) *Allocations, approval*. Notwithstanding ~~paragraph paragraphs~~ (b) and (g), the department may allocate more than the amounts specified in paragraphs (c) to (g) for the purposes specified in paragraphs (c) to (g) upon the approval of the joint committee on finance.

SECTION 1196. 1991 Wisconsin Act 39, section 9125 (15f), as last affected by 1991 Wisconsin Act 80, is repealed.

~~SECTION 1196d. 1991 Wisconsin Act 39, section 9125 (18j) (a) (intro.) is amended to read:~~

~~[1991 Wisconsin Act 39] Section 9125 (18j) (a) Requests for proposals for the provision of a secured~~

Vetoed
in Part

Vetoed in Part ~~correctional facility for delinquent girls. (intro.) By 1991, the The department of health and social services shall submit to the joint committee on finance a proposed request for proposals for the provision of a secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, in the Milwaukee federal standard metropolitan statistical area, or in Racine or Kenosha counties, for the care and treatment of girls who have been adjudicated delinquent. The proposed request for proposals may also request proposals for the provision of a secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, outside of the Milwaukee federal standard metropolitan statistical area, and outside of Racine and Kenosha counties, for the care and treatment of girls who have been adjudicated delinquent. The department of health and social services, or, if that department bids on the request for proposals as provided under subdivision 2, the department of administration, shall choose an organization to provide that secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act. The request for proposals under this paragraph shall contain all of the following conditions.~~

Vetoed in Part SECTION 1196m. 1991 Wisconsin Act 39, section 9125 (19g) is amended to read:

~~[1991 Wisconsin Act 39] Section 9125 (19g) ALLOCATION OF FEDERAL FUNDS FOR CAPACITY BUILDING FOR TREATMENT PROGRAMS. From the appropriation under section 20.435 (7) (ma) (md) of the statutes, as affected by this act, the department of health and social services shall allocate \$649,700 in fiscal year 1991-92 and \$649,700 in fiscal year 1992-93 for capacity building for treatment programs under section 46.86 of the statutes, as affected by this act.~~

SECTION 1196q. 1991 Wisconsin Act 39, section 9125 (20g) is amended to read:

SECTION 1199m. 1991 Wisconsin Act 39, section 9160 (1xg) (b), (c) (intro.), (e) and (f) are amended to read:

[1991 Wisconsin Act 39] Section 9160 (1xg) (b) The secretary of administration shall not permit encumbrance of the following amounts from the following appropriations to state agencies in each the 1991-92 fiscal year indicated and shall lapse the amounts to the general fund prior to the end of each that fiscal year:

State Agency	Appropriation	Amount of Lapse	
		1991-92 Fiscal Year	1992-93 Fiscal Year
Board on aging and long-term care	20.432 (1) (a)	\$ 6,400	\$ 3,200
Employment relations commission	20.425 (1) (a)	33,800	16,900
Ethics board	20.521 (1) (a)	5,700	2,900
Judicial council	20.645 (1) (a)	2,700	1,400
Lower Wisconsin state riverway board	20.360 (1) (a)	3,100	1,600
Personnel commission	20.547 (1) (a)	8,400	4,200

(c) (intro.) Each of the following state agencies shall report in writing to the secretary of administration no later than October 1, 1991, for the 1991-92 fiscal year, unless another date is specified by the

[1991 Wisconsin Act 39] Section 9125 (20g) COMMUNITY ALCOHOL AND OTHER DRUG ABUSE EDUCATION. From the appropriation under section 20.435 (7) (ma) (md) of the statutes, as affected by this act, the department of health and social services shall allocate to the inner city council on alcoholism \$125,000 in each of fiscal years 1991-92 and 1992-93 for the provision of community alcohol and other drug abuse education in the city of Milwaukee.

SECTION 1198. 1991 Wisconsin Act 39, section 9140 (1g) is amended to read:

[1991 Wisconsin Act 39] Section 9140 (1g) FAMILY PRACTICE RESIDENCY PROGRAM. From the appropriation under section 20.250 (1) (b) of the statutes, the medical college of Wisconsin inc., shall expend \$1,000,000 in fiscal year 1991-92 and \$1,700,000 \$1,615,000 in fiscal year 1992-93 for the purpose of maintaining and expanding the current residency sites, supporting community medicine activities and expanding the residency program.

SECTION 1198m. 1991 Wisconsin Act 39, section 9142 (11q) is repealed.

SECTION 1199. 1991 Wisconsin Act 39, section 9155 (1q) is repealed.

SECTION 1199am. 1991 Wisconsin Act 39, section 9155 (13p) (a) is amended to read:

[1991 Wisconsin Act 39] Section 9155 (13p) (a) *Definition.* In this subsection, "program" means the regulation and licensing of those mobile home dealers and salespersons who are engaged in the sale of primary housing units, as defined in section 218.10 (8) of the statutes.

~~SECTION 1199b. 1991 Wisconsin Act 39, section 9155 (13p) (b) is repealed.~~

Vetoed in Part

secretary, and no later than ~~October~~ June 1, 1992, for the 1992-93 fiscal year, unless another date is specified by the secretary, concerning its preference for allocation of appropriation reductions between sum certain

appropriations made to the state agency from general purpose revenue for state operations or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, or a combination of both, totaling the following amounts in each fiscal year indicated:

(e) The secretary of administration shall, no later than the end of ~~each the 1991-92 fiscal year specified in paragraph (c)~~, lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the specified amounts for each state agency allocated between such appropriations in the manner determined by the secretary.

(f) The secretary of administration shall, no later than the end of ~~each the 1991-92 fiscal year specified in paragraph (c)~~, lapse to the general fund from the sum certain appropriations made to the department of administration from general purpose revenue for state operations or reestimate from the sum sufficient appropriations made to the department of administration from general purpose revenue for state operations, or a combination of both, a total of \$341,500 in the 1991-92 fiscal year and \$170,800 in the ~~1992-93 fiscal year~~, allocated between such appropriations in a manner determined by the secretary.

SECTION 1200. 1991 Wisconsin Act 39, section 9160 (5xy) is repealed.

SECTION 1201. 1991 Wisconsin Act 39, section 9349 (2x) is repealed.

SECTION 1202. 1991 Wisconsin Act 39, section 9425 (4g) is amended to read:

[1991 Wisconsin Act 39] Section 9425 (4g) MEDICAL ASSISTANCE CARE COORDINATION. The treatment of section 49.46 (2) (b) 12 of the statutes takes effect on July 1, 1992 January 1, 1993.

SECTION 1203am. 1991 Wisconsin Act 39, section 9458 (1) is repealed.

SECTION 1204. 1991 Wisconsin Act 80, section 17 (2) is amended to read:

[1991 Wisconsin Act 80] Section 17 (2) MEDICAL ASSISTANCE PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by ~~\$767,136,700~~ \$767,122,800 for fiscal year 1992-93 to fund medical assistance program benefits, including an annual increase of ~~13.1%~~ 0.3%, in addition to the increase under subsection (1), in the rate of payment, under the medical assistance program, for providers that are ambulatory surgery centers.

SECTION 9101. **Nonstatutory provisions; administration.**

(1) TERMS OF INITIAL PRIVACY COUNCIL MEMBERS. Notwithstanding the length of terms specified in section 15.107 (13) (intro.) of the statutes, as affected by this act, the terms of the initial members of the privacy council appointed under section 15.107 (13) of the statutes, as affected by this act, expire as follows:

(a) One of the members appointed under section 15.107 (13) (a) of the statutes, as created by this act, and the members appointed under section 15.107 (13) (b) 2 and 5 of the statutes, as created by this act, on July 1, 1993.

(b) One of the members appointed under section 15.107 (13) (a) of the statutes, as created by this act, and the member appointed under section 15.107 (13) (b) 1 of the statutes, as created by this act, on July 1, 1994.

(c) Two of the members appointed under section 15.107 (13) (a) of the statutes, as created by this act, and the members appointed under section 15.107 (13) (b) 3 and 4 of the statutes, as created by this act, on July 1, 1995.

(2) PERSONAL INFORMATION PRACTICES STUDIES.

(a) As used in this subsection:

1. "Authority" has the meaning given in section 19.32 (1) of the statutes.

2. "Personally identifiable information" has the meaning specified in section 19.62 (5) of the statutes.

(b) As part of the privacy advocate's review of the adequacy of personal privacy protection policies under section 19.63 (1) (f) of the statutes, the privacy advocate shall study all of the following:

~~1. The need for requiring an authority to do the following:~~

~~a. Maintain the date of collection and source of personally identifiable information that the authority may use to make a determination adverse to the subject of the information.~~

~~b. Notify an individual when an authority discloses personally identifiable information about the individual to the private sector, if the disclosure is not made under section 19.35 (1) (a) of the statutes, as affected by this act.~~

~~c. Collect personally identifiable information about any individual, or create or maintain a records series containing such information, only if the authority determines that the information is necessary to perform its duties.~~

2. The need for and likely effects, including costs, of expanding the applicability to other authorities, including local government authorities, of the following:

a. The notice requirements in section 15.04 (1) (m) of the statutes.

b. The registry of records series created under section 16.61 (3) (u) of the statutes, as affected by this act.

c. The requirement for a matching specification under section 19.69 (1) of the statutes, as affected by this act.

Vetoed
in Part

d. The ability of an individual to request that his or her personal identifiers not be disclosed by an authority under sections 341.08 (1m), 342.06 (1) (i), 343.14 (2m) and 343.51 (1m) of the statutes, as created by this act.

e. The requirement to establish administrative, technical and physical safeguards, as appropriate, to ensure the security of personally identifiable information maintained by authorities and to protect against threats or hazards to the security or integrity of the information that may reasonably be anticipated.

f. The requirement to notify an individual or person authorized by the individual of the reasons for denial of a challenge to the accuracy of a record containing personally identifiable information maintained by the authorities.

3. The need for applying the provisions of subchapter IV of chapter 19 of the statutes, as affected by this act, to persons contracting with state or local government authorities to collect, maintain, use, provide access to, share or archive personally identifiable information on behalf of the authority or to accomplish a function of the authority. The study shall include an analysis of the costs, if any, to authorities of the application of the subchapter to contractors and analyses of any likely effects that the application and nonapplication of the subchapter to contractors has or would have on individuals and authorities, including all of the following:

a. The reliability of personally identifiable information collected, maintained, used, shared or archived by contractors and authorities.

b. The accuracy of decisions made about individuals by contractors or authorities.

c. The protection of personal privacy.

4. The need for and likely effects on individuals and authorities, including costs, of creating a review and appeal process for decisions made by an authority under section 19.365 (1) (b) of the statutes, as affected by this act, that deny the request of an individual or person authorized by the individual to correct personally identifiable information pertaining to the individual.

5. The need for and likely effects on individuals and authorities, including costs, of creating a requirement that an authority which corrects personally identifiable information pursuant to section 19.365 (1) (a) of the statutes, as affected by this act, notify past-known recipients of inaccurate information of the correction.

(c) The privacy advocate shall study the need for and likely effects on individuals, insurers and state and local government agencies, including costs, of limiting the disclosure of patient health care records by persons who obtained the records without informed consent under section 146.82 (2) of the statutes, and of requiring additional specificity in an informed consent for the release of such records under section 146.82 (1) of the statutes.

(d) The privacy advocate shall submit by June 30, 1994, a report on the findings and recommendations of the studies under paragraphs (b) and (c), including any recommendations for legislation, to the governor and chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes.

(2x) PROSECUTION OF DRUG CRIMES. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by 1991 Wisconsin Act 39, and section 20.505 (6) (pb) of the statutes, the department shall expend \$75,600 in fiscal year 1992-93 to provide the multi-jurisdictional enforcement group serving Dane county with funding for one additional assistant district attorney, notwithstanding section 978.13 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 39, to prosecute criminal violations of chapter 161 of the statutes, as affected by 1991 Wisconsin Act 39. The funding is not subject to the grant procedure under section 16.964 (2m) of the statutes, as affected by 1991 Wisconsin Act 39.

(3) PRISON INDUSTRIES SALES POSITIONS. A person who, on the day before the effective date of this subsection, occupies a classified position of sales representative of prison industries in the department of corrections or of sales manager of prison industries in the department of corrections and whose position becomes unclassified under section 303.01 (10) of the statutes, as created by this act, may do any of the following on the effective date of this subsection:

(a) Fill one of the 3 unclassified civil service positions of sales representative of prison industries under section 303.01 (10) of the statutes, as created by this act, if the person occupied a classified position of sales representative of prison industries on the day before the effective date of this paragraph.

(b) Fill the unclassified civil service position of sales manager of prison industries under section 303.01 (10) of the statutes, as created by this act, if the person occupied a classified position of sales manager of prison industries on the day before the effective date of this paragraph.

(c) Notwithstanding sections 35.93, 227.10 to 227.27, 230.28 (4) and 230.29 of the statutes, transfer to any vacancy in a position in another classification to which the person would have been eligible to transfer on the day before the effective date of this paragraph and occupy that vacant position without serving any probationary period.

(3j) REPAYMENT OF VETERANS TRUST FUND LOAN. The secretary of administration shall ensure that the amount transferred from the veterans trust fund under SECTION 9258 (1b) of this act is repaid to the veterans trust fund, without interest, by June 30, 1994.

(4) MADISON LAW ENFORCEMENT GRANT.

(a) From federal and program revenue moneys appropriated to the department of administration for

the office of justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the department may expend up to \$230,000 in fiscal year 1992-93 to provide any of the following to a city having a population of more than 150,000 and less than 500,000:

1. A grant of up to \$55,000 for an additional police officer position to provide drug abuse resistance education to at-risk youths.

2. A grant of up to \$100,000 to fund a families and schools together program designed to identify pupils who have a high risk of dropping out of school, experiencing alcohol and other drug abuse problems or being adjudged delinquent. The program shall provide prevention and early intervention activities involving joint school, family and community participation, including mental health and alcohol and other drug abuse program specialists.

3. A grant of up to \$75,000 for the police department to fund a neighborhood watch program and a community drug resistance program for at-risk youths.

(b) No money may be awarded under this subsection after June 30, 1993.

Vetoed in Part

~~(4f) INFORMATION TECHNOLOGY POSITIONS AND EXPENDITURES. No later than 30 days after the effective date of this subsection, the department of administration shall report to the cochairpersons of the joint committee on finance the unencumbered balances in the appropriation accounts under section 20.505 (1) (is) and (kl) of the statutes, as affected by this act. In the report, the department shall enumerate the full-time equivalent positions funded from each of those appropriations on the date of the report.~~

(4q) GYPSY MOTH ERADICATION PLAN. The secretary of administration shall withhold approval of the expenditure of any amount from the appropriation under section 20.115 (7) (q) of the statutes, as created by this act, in fiscal year 1991-92 for the eradication of gypsy moths until the secretary of administration determines that the secretaries of agriculture, trade and consumer protection and of natural resources have prepared and approved a gypsy moth eradication plan for 1992.

Vetoed in Part

~~(5j) GREEN LIGHTS PROGRAM. The department of administration shall sign a memorandum of understanding on behalf of this state to participate in the Green Lights program sponsored by the federal environmental protection agency.~~

(5jp) ENERGY EFFICIENCY PROGRAM FUNDING.

(a) For the first budget that is compiled under section 16.43 of the statutes after the effective date of this subsection, the department of administration shall certify to the secretary of administration a funding plan for the energy efficiency program under section 16.847 of the statutes. The funding plan shall provide for a total funding of \$50,000,000 for the energy efficiency program. The secretary of administration shall include the amount certified in the funding plan in the

Vetoed in Part

~~budget compilation under section 16.43 of the statutes.~~ **Vetoed in Part**

(b) In developing the funding plan under paragraph (a), the department of administration shall specifically consider as possible funding sources the use of general obligation bonds, public utility assessments, and utility expense appropriations under section 16.487 (4) of the statutes. In the funding plan, the department shall indicate what amount of funds, if any, shall be allocated from each of these funding sources. **Vetoed in Part**

~~(c) In the funding plan under paragraph (a), the department shall include its recommendation for legislation that will implement the funding plan in the amounts recommended from each funding source.~~ **Vetoed in Part**

(5jq) ENERGY EFFICIENCY PROGRAM RULES. The department of administration shall submit the proposed rules required under section 16.847 (10) 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 3rd month beginning after the general effective date of the first budget that is enacted after the effective date of this subsection.

(5w) MANAGEMENT AND EFFICIENCY STUDY. If the department of administration elects to contract for a management and efficiency study of the department of natural resources under 1991 Wisconsin Act 39, section 9101 (9c), as affected by this act, the department of administration shall expend not less than \$75,000 during fiscal year 1992-93 from the appropriation under section 20.505 (1) (a) of the statutes, as affected by the acts of 1991, to finance the cost of the study. **Vetoed in Part**

(5x) WORKER'S COMPENSATION CASE MANAGEMENT REPORT. No later than January 31, 1993, the department of administration shall report to the cochairpersons of the joint committee on finance concerning the state employment worker's compensation case management improvements achieved as a result of funding and staffing increases provided for the case management program in the 1991-93 fiscal biennium. The report shall include information concerning the impact of these increases on worker's compensation claims volume, the total dollar level of claims filed and lost time due to on-the-job injuries. **Vetoed in Part**

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) FOOD SAFETY AND CONSUMER PROTECTION. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (1) (a) of the statutes, are decreased by 4.87 GPR food regulation services positions on July 1, 1992.

(2) FOOD REGULATION. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (1) (gb) of the statutes, are increased by 4.87 PR food regulation services positions on July 1, 1992.

(2xn) INITIAL TERMS OF MEMBERS OF THE AGRICULTURAL CHEMICAL CLEANUP COUNCIL. Notwithstanding

section 15.137 (4) of the statutes, as created by this act, the following initial members of the agricultural chemical cleanup council shall be appointed for terms expiring on the following dates:

(a) One member appointed under section 15.137 (4) (a) of the statutes, as created by this act, and one member appointed under section 15.137 (4) (b) of the statutes, as created by this act, May 1, 1994.

(b) One member appointed under section 15.137 (4) (a) of the statutes, as created by this act, and one member appointed under section 15.137 (4) (b) of the statutes, as created by this act, May 1, 1995.

(c) One member appointed under section 15.137 (4) (c) of the statutes, as created by this act, and the member appointed under section 15.137 (4) (d) of the statutes, as created by this act, May 1, 1996.

(d) One member appointed under section 15.137 (4) (c) of the statutes, as created by this act, May 1, 1997.

Vetoed
in Part

~~(2x) GROUNDWATER MANAGEMENT POSITIONS. The authorized FTE positions for the department of agriculture, trade and consumer protection are increased by 2.0 SEG positions on July 1, 1992, to be funded from the appropriation under section 20.115 (7) (x) of the statutes, as created by this act, for the purpose of performing groundwater management responsibilities under section 94.73 of the statutes, as created by this act.~~

(3) SEED TESTING AND LABELING. The authorized FTE positions for the department of agriculture, trade and consumer protection, funded from the appropriation under section 20.115 (7) (gm) of the statutes, are decreased by 1.0 PR seed analyst services position on July 1, 1992.

(3W) MILK PROCUREMENT FEE REFUNDS.

(a) Notwithstanding section 20.115 (1) (gb) of the statutes, if the unencumbered balance in the appropriation under section 20.115 (1) (gb) of the statutes on June 30, 1992, exceeds an amount equal to 3% of the amount authorized to be expended by the department of agriculture, trade and consumer protection from that appropriation in fiscal year 1991-92, the department shall refund to dairy plants that paid a milk procurement fee under section 97.20 (2g) of the statutes in the 1991-92 fiscal year, from the appropriation under section 20.115 (1) (gb) of the statutes, the excess amount on a prorated basis according to the amount of the fee paid by the dairy plant. The department of agriculture, trade and consumer protection shall pay refunds under this paragraph on or before September 1, 1992.

(b) Notwithstanding section 20.115 (1) (gb) of the statutes, if the unencumbered balance in the appropriation under section 20.115 (1) (gb) of the statutes on June 30, 1993, exceeds an amount equal to 5% of the amount authorized to be expended by the department of agriculture, trade and consumer protection from that appropriation in fiscal year 1992-93, the department shall refund to dairy plants that paid a milk procurement fee under section 97.20 (2g) of the statutes in

the 1992-93 fiscal year, from the appropriation under section 20.115 (1) (gb) of the statutes, the excess amount on a prorated basis according to the amount of the fee paid by the dairy plant. For the purpose of determining the balance in the appropriation under section 20.115 (1) (gb) of the statutes at the end of the 1991-93 biennium for the lapse to the general fund, the department of agriculture, trade and consumer protection shall first deduct the amount of the refunds to be paid under this paragraph. The department of agriculture, trade and consumer protection shall pay refunds under this paragraph on or before September 1, 1993.

Vetoed
in Part

~~(4W) TRANSFER OF CONSUMER PROTECTION RESPONSIBILITIES.~~

~~(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall become the assets and liabilities of the department of justice. In the case of disagreement, the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.~~

~~(b) Furniture, equipment and supplies. On the effective date of this paragraph, all furniture, equipment and supplies of the department of agriculture, trade and consumer protection that are used primarily for the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are transferred to the department of justice. In the case of disagreement, the secretary of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.~~

~~(c) Positions abolished.~~

~~1. On the effective date of this subdivision, the following FTE GPR positions in the department of agriculture, trade and consumer protection, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are abolished:~~

- ~~a. One division administrator~~
- ~~b. Four regional compliance investigator supervisors~~
- ~~c. One consumer specialist~~
- ~~d. One hotline staff program assistant~~
- ~~e. One program assistant~~

~~2. In the case of a disagreement under subdivision 1, the secretary of administration shall resolve the dispute and shall develop and execute a plan for the orderly elimination of these positions.~~

~~(d) Transfer of positions.~~

**Vetoed
in Part**

1. On the effective date of this subdivision, the following positions and the incumbent employees, if any, in the following positions in the bureau of consumer protection in the division of trade and consumer protection in the department of agriculture, trade and consumer protection, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are transferred to the department of justice:

- a. One FTE GPR administrative officer 3 position.
- b. One FTE SEG attorney position related to the regulation of motor vehicle repair.
- c. Two 0.5 FTE SEG clerical assistant 2 positions related to the regulation of motor vehicle repair.
- d. Four FTE SEG investigator positions related to the regulation of motor vehicle repair.
- e. One FTE SEG weights and measures inspector position related to recycling.
- f. One FTE SEG environmental engineer position related to recycling.
- g. One FTE PR administrative assistant 4 position related to ozone depletion.
- h. One FTE PR clerical assistant 1 position related to ozone depletion.
- i. Two FTE PR investigator positions related to ozone depletion.
- j. Five FTE GPR investigator positions.
- k. Three FTE GPR consumer specialist positions.
- l. One FTE GPR program assistant 2 position relating to the consumer hotline.
- m. Three FTE GPR regional program assistant 1 positions.
- n. One FTE GPR central office program assistant 2 position.

2. In the case of disagreement under subdivision 1, the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.

(c) *Employee status.* Employees transferred under paragraph (d) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of justice that they enjoyed in the department of agriculture, trade and consumer protection. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(f) *Records.* On the effective date of this paragraph, all records of the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall become the records of the department of justice. In the case of disagreement, the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.

(g) *Rules and orders.*

1. All rules and orders issued by the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice that are in effect on the effective date of this paragraph, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall remain in effect until their specified expiration date or until modified, repealed or rescinded by the department of justice, acting under the authority granted by this act.

2. In the rules and orders transferred under subdivision 1, references to the secretary or department of agriculture, trade and consumer protection or to an officer or employee of the department of agriculture, trade and consumer protection transferred under this act to the department of justice shall be treated as references to the attorney general or department of justice or to an officer or employee of the department of justice.

(h) *Contracts.* All contracts entered into by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of justice. The department of justice shall carry out such contractual obligations unless they are modified or rescinded.

(i) *Pending matters.* Any matter pending with the secretary of agriculture, trade and consumer protection on the effective date of this paragraph relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice is transferred to the department of justice. All materials submitted to or actions taken by the secretary of agriculture, trade and consumer protection with respect to the pending matter are deemed to have been submitted to or taken by the department of justice.

(j) *Collections.* On and after the effective date of this paragraph, the department of justice may collect any amount payable under the statutes before the effective date of this paragraph for the cost of materials, activities or services provided by the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice. The amounts collected shall be credited to the applicable appropriations under chapter 20 of the statutes, as affected by this act.

(k) *Cooperation.* Immediately after the effective date of this subsection, the department of agriculture and trade and the department of justice shall cooperate to efficiently and effectively carry out the transfer of functions provided by this act.

(4p) GYPSY MOTH ERADICATION POSITIONS The authorized FTE positions for the department of agri-

**Vetoed
in Part**

culture, trade and consumer protection are increased by 1.0 SEG project position for the period ending June 30, 1993, and 1.0 SEG position beginning on July 1, 1992, for the purpose of performing gypsy moth eradi-

cation services, to be funded from the appropriation under section 20.115 (7) (q) of the statutes, as created by this act.

SECTION 9108. Nonstatutory provisions; building commission.

(1) 1991-93 STATE BUILDING PROGRAM ADDITIONS. In 1991 Wisconsin Act 39, section 9108 (1), the following projects are added to the 1991-93 state building program and the appropriate totals are increased by the amounts shown:

- (a) In paragraph (a) 1, under projects financed by program revenue supported borrowing:
- | | |
|--|--------------|
| Parking ramp at the state office building located at 1 West Wilson street in the city of Madison | \$15,100,000 |
| Purchase and remodeling of state office building at 3319 West Beltline highway, Dane county | \$ 2,112,200 |
- (b) In paragraph (m) 3, under projects financed by program revenue supported borrowing:
- | | |
|---|--------------|
| Madison - Sports medicine, spine center and cardiac rehabilitation facility at university research park | \$ 7,600,000 |
|---|--------------|
- (c) In paragraph (h) 7, under projects financed by gifts, grants and other receipts:
- | | |
|--|------------|
| Horicon marsh administrative and interpretative center | \$ 750,000 |
|--|------------|
- (Total project all funding sources \$1,000,000)

(2h) 1991-93 STATE BUILDING PROGRAM ADDITIONS. In 1991 Wisconsin Act 39, section 9108 (1), the following new subdivisions are created to add the following new projects to the 1991-93 state building program and the appropriate totals are increased by the amounts shown:

- (a) DEPARTMENT OF ADMINISTRATION
- 1m. *Projects financed by general fund supported borrowing:*
- | | |
|---------------------------|--------------|
| State capitol restoration | \$ 1,700,000 |
|---------------------------|--------------|
- (h) DEPARTMENT OF NATURAL RESOURCES
- 4m. *Projects financed by existing general fund supported borrowing - other stewardship funds:*
- | | |
|--|------------|
| Horicon marsh administrative and interpretative center | \$ 250,000 |
|--|------------|
- (Total project all funding sources \$1,000,000)

(3f) 1991-93 STATE BUILDING PROGRAM DELETION.

(a) In 1991 Wisconsin Act 39, section 9108 (1) (h) 7, under projects financed by gifts, grants and other receipts, the 1991-93 state building program project identified as Horicon marsh administrative and interpretative center is deleted and the appropriate totals are decreased accordingly.

(4g) MONONA TERRACE PROJECT; RECONCILIATION. If the city of Madison does not irrevocably provide for the construction of the Frank Lloyd Wright Monona terrace project on or before December 31, 1994, then the treatment of sections 16.84 (1), 16.843 (2) (b), (bm) (intro.), (c) (intro.) and (cm), 20.505 (5) (g), (ka) and (kb), 20.866 (1) (u) and (2) (ya), 20.867 (3) (e) and (k) and 70.119 (2) and (9) of the statutes by this act and the enumeration of the project identified as the parking ramp at the state office building located at 1 West

Wilson street in the city of Madison under subsection (1) (a) are of no effect.

SECTION 9110. Nonstatutory provisions; circuit courts.

(1) CIRCUIT COURT BRANCHES. The initial election for circuit judge for branch 2 of the circuit court for Door county, for branch 5 of the circuit court for Eau Claire county, for branch 3 of the circuit court for Portage county, for branch 5 of the circuit court for Sheboygan county, for branch 3 of the circuit court for St. Croix county, for branch 17 of the circuit court for Dane county, for branch 7 of the circuit court for Kenosha county, for branch 46 of the circuit court for Milwaukee county, for branch 7 of the circuit court for Outagamie county and for branch 10 of the circuit court for Racine county shall be at the spring election of 1994 for terms commencing August 1, 1994, and ending July 31, 2000.

(4) CIRCUIT JUDGE POSITIONS. The authorized FTE positions for the circuit courts are increased by 10.0 GPR circuit judge positions on August 1, 1994, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide additional circuit court judges for the circuit court branches created by this act.

SECTION 9111. Nonstatutory provisions; conservation corps board.

Vetoed in Part

~~(1w) CORRS ENROLLEE SUPPORT, GENERAL PROGRAM OPERATIONS.~~

~~(a) In the information that the Wisconsin conservation corps board submits under section 16.42 of the statutes for purposes of the 1993-95 biennial budget bill, the amount in the schedule under the appropriation under section 20.399 (1) (a) of the statutes for fiscal year 1992-93 shall be considered to be \$3,157,400.~~

~~(b) Notwithstanding section 16.42 (1) (e) of the statutes, the Wisconsin conservation corps board may not include any information relating to the amount by which the amount in the schedule under the appropriation under section 20.399 (1) (a) of the statutes is increased for fiscal year 1992-93 under Section 9211 (1) (b) of this act in the information that it submits under section 16.42 of the statutes for purposes of the 1993-95 biennial budget bill.~~

~~(c) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the Wisconsin conservation corps board shall submit information concerning the appropriation under section 20.399 (2) (a) of the statutes as though the decrease in that appropriation by Section 9211 (2) (a) of this act had not been made.~~

~~(d) Notwithstanding section 16.42 (1) (e) of the statutes, the Wisconsin conservation corps board may not include any information relating to the amount by which the amount in the schedule under the appropriation under section 20.399 (2) (a) of the statutes is increased for fiscal year 1992-93 under Section 9211 (2) (b) of this act in the information that it submits under section 16.42 of the statutes for purposes of the 1993-95 biennial budget bill.~~

Vetoed in Part

~~(2g) EDITOR POSITION. The authorized FTE positions for the conservation corps board are increased by 0.5 GPR position beginning on July 1, 1992, to be funded from the appropriation under section 20.399 (2) (a) of the statutes, for the purpose of providing a publications editor for the conservation corps.~~

Vetoed in Part

(2w) GENERAL RELIEF RECIPIENTS. The conservation corps shall establish 2 additional crews for the participation of recipients of general relief under section 49.02 of the statutes in the conservation corps program as corps members. The conservation corps shall recruit as many recipients of general relief as possible for these crews. The recipients of general relief must meet the qualifications and requirements for corps members under section 16.20 (11) of the statutes. The corps shall monitor the progress of these members on

these crews and shall prepare a report evaluating the success of these crews in providing training to recipients of general relief and increasing the likelihood of subsequent employment for recipients of general relief. The conservation corps shall submit the report to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1993.

SECTION 9112. Nonstatutory provisions; corrections.

(1g) POSITIONS.

(a) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (1) (a) of the statutes, are decreased by 6.0 GPR positions.

(b) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (1) (ai) of the statutes, are decreased by 8.5 GPR positions.

(c) The authorized FTE positions for the department of corrections, funded from the appropriation under section 20.410 (2) (a) of the statutes, are decreased by 2.0 GPR positions.

SECTION 9115. Nonstatutory provisions; development.

~~(1) GRANTS TO AREA PROMOTION COMMITTEES.~~

Vetoed in Part

~~(a) In this subsection, "committee" means a governor's committee on area promotion, established under executive order number 133, dated October 2, 1991.~~

~~(b) The department of development may make a grant of not more than \$50,000 from the appropriation under section 20.143 (2) (b) of the statutes, as affected by this act, to a committee if all of the following apply:~~

~~1. The committee submits a plan to the department of development detailing the proposed use of the grant proceeds;~~

~~2. The secretary of development approves the plan submitted under subdivision 1 before awarding the grant;~~

~~3. The committee enters into a written agreement with the department of development that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements;~~

~~4. The committee agrees to submit to the department of development, within 6 months after spending the full amount of the grant, a report detailing how the grant proceeds were used.~~

~~(c) The department of development may make a grant under this subsection to a committee before the committee incurs expenses for the proposed purpose of the grant.~~

~~(d) The department may not encumber funds for a grant under this subsection after June 30, 1993.~~

(1g) MUNICIPAL BOUNDARY ADJUSTMENT REVIEW.

(a) *Employe transfer.* On the effective date of this paragraph, 0.45 FTE GPR position associated with the department of development's review of municipal

boundary adjustments, and the incumbent employe holding that position, are transferred from the department of development to the department of administration.

(b) *Employe status.* An employe transferred under paragraph (a) to the department of administration shall have the same rights and status under subchapter V of chapter 111 of the statutes and under chapter 230 of the statutes, as affected by this act, in the department of administration that the employe enjoyed in the department of development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe with permanent status in class who is transferred under paragraph (a) is required to serve a probationary period.

(c) *Equipment and records.* On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of development relating to the department of development's review of municipal boundary adjustments are transferred to the department of administration.

(1j) GRANT TO CENTRAL WISCONSIN ENTREPRENEURIAL DEVELOPMENT CENTER.

(a) The department of development may make a grant of up to \$20,000 from the appropriation under section 20.143 (1) (er) of the statutes, as amended by this act, to a nonprofit corporation, as defined in section 181.02 (8) of the statutes, if all of the following apply:

1. The nonprofit corporation serves an area that includes Portage county and is located in Portage county in a city with a population of more than 20,000.
2. The nonprofit corporation agrees in writing to use the grant proceeds solely for the operation of a business development center that acts as a resource for central Wisconsin businesses to promote international trade and joint ventures with businesses in the Rostov-Veliky district in Russia.
3. The nonprofit corporation submits a plan to the department of development detailing the proposed use of the grant proceeds.
4. The secretary of development determines that the proposed expenditure of the grant proceeds is likely to impact positively on the state's economy.
5. The secretary of development approves the plan submitted under subdivision 3 before awarding the grant.
6. The nonprofit corporation provides matching funds equal in amount to the grant proceeds. The match may be in cash or in in-kind contributions. The department of development shall determine what may be used as in-kind contributions.
7. The nonprofit corporation agrees in writing that the grant proceeds will not be expended for entertainment, international travel not approved as part of the plan submitted under subdivision 3 or rent expenses for the business development center.

8. The nonprofit corporation agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(b) This subsection does not apply after June 30, 1993.

(2p) GRANT FOR URBAN INDUSTRIAL PARK.

(a) The department of development may make a grant of up to \$100,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the east side housing action committee and the riverwest industrial council if all of the following apply:

1. The east side housing action committee and the riverwest industrial council use the grant proceeds for the redevelopment of an industrial park in the city of Milwaukee in an area that is bounded on the north by East Capital drive, on the east by North Humbolt avenue, on the south by Keefe avenue and on the west by I 94.
2. The east side housing action committee and the riverwest industrial council submit a plan to the department of development detailing the project and the proposed use of the grant.
3. If the grant is part of a project that is also funded by contributions from other sources, the east side housing action committee and the riverwest industrial council provide the department of development with the amount of those contributions or pledges for contributions that are received before the grant is made.
4. The secretary of development approves the plan submitted under subdivision 2 before awarding the grant.
5. The east side housing action committee and the riverwest industrial council agree to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the grant proceeds.

(b) This subsection does not apply after June 30, 1993.

(2x) GRANTS TO БЕЛОIT FOR RIVERFRONT DEVELOPMENT.

(a) The department of development may make grants totaling not more than \$100,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the city of Beloit for community-based economic development activities that are related to riverfront development in the city of Beloit if all of the following apply:

1. The city of Beloit submits a plan to the department of development detailing the proposed use of the grant proceeds.
2. The secretary of development approves the plan submitted under paragraph (a).
3. The city of Beloit enters into a written agreement with the department of development that specifies the conditions for use of the grant proceeds, including reporting and auditing requirements.

Vetoed
in Part

4. The city of Beloit agrees to submit to the department of development, within 6 months after spending the full amount of the grant, a report detailing how the grant proceeds were used.

(b) The department of development may not pay grant proceeds under this subsection after June 30, 1993.

Vetoed
in Part

~~(3p) KEWAUNEE TOURIST INFORMATION CENTER GRANT. From the appropriation under section 20.143 (2) (a) of the statutes, the department of development shall make a grant of \$15,000 in each of fiscal years 1991-92 and 1992-93 to the Kewaunee tourist information center for operating expenses.~~

SECTION 9116. Nonstatutory provisions; district attorneys.

(1) ASSISTANT DISTRICT ATTORNEY; DANE COUNTY. The authorized FTE positions for the department of administration, funded from the appropriation under section 20.475 (1) (h) of the statutes, are increased by 1.0 PR position on July 1, 1992, for an assistant district attorney specified in SECTION 9101 (2x) of this act.

SECTION 9117. Nonstatutory provisions; educational communications board.

(1f) TRANSFER OF POSITION AND EMPLOYEE.

(a) On the effective date of this paragraph, the authorized FTE positions for the educational communications board are decreased by 1.0 PR building maintenance position. On the effective date of this paragraph, the incumbent in the position identified in this paragraph is transferred to the department of administration.

(b) On the effective date of this paragraph, the authorized FTE positions for the department of administration are increased by 1.0 PR building maintenance position. The secretary of administration shall appoint the incumbent transferred under paragraph (a) to the position authorized in this paragraph which corresponds to the position held by the incumbent on the day prior to the effective date of this paragraph.

(c) The employe transferred to the department of administration under this subsection shall have the same rights and status under subchapter V of chapter 111 of the statutes and under chapter 230 of the statutes, as affected by this act, in the department of administration that he or she enjoyed in the educational communications board immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe with permanent status in class who is transferred under this subsection is required to serve a probationary period.

Vetoed
in Part

~~(2m) EQUIPMENT FOR COMMUNICATIONS TOWERS. From the appropriation under section 20.225 (1) (em) of the statutes, as created by this act, not more than \$57,000 shall be expended for the purchase and installation of equipment for a communications tower located near the town of Lincoln in Kewaunee county, not more than \$63,100 shall be expended for the purchase and installation of equipment for a communica-~~

~~tions tower located north of Sturgeon Bay in Door county and not more than \$53,400 shall be expended for the purchase and installation of equipment for a communications tower located near Ellison Bay in Door county for the instructional television fixed service system, if the conditions specified for funding of the applicable project under section 30.145 (4m) of the statutes, as created by this act, have been satisfied.~~

Vetoed
in Part

SECTION 9119. Nonstatutory provisions; employe trust funds.

(1p) HEALTH INSURANCE INFORMATION SERVICES. The authorized FTE positions for the department of employe trust funds are increased by 1.0 SEG project position for a 2-year period beginning on May 1, 1992, or on the effective date of this subsection, whichever is later, for the purpose of analyzing health insurance information received by the group insurance board under section 40.03 (6) (j) of the statutes, as created by this act, and by 1.0 SEG position for the purpose of providing general health insurance information to state employes, to be funded from the appropriation under section 20.515 (1) (w) of the statutes.

SECTION 9125. Nonstatutory provisions; health and social services.

(1) EMERGENCY MEDICAL SERVICES. The authorized FTE positions for the department of health and social services are increased by 4.25 SEG positions on July 1, 1992, to be funded from the appropriation under section 20.435 (1) (rg) of the statutes, as created by this act, for the performance of general program operations related to emergency medical services.

(3w) MANAGEMENT STABILIZATION GRANT. From the appropriation under section 20.435 (4) (df) of the statutes, the department of health and social services shall grant \$200,000 to the Opportunities Industrialization Center of Greater Milwaukee to operate and manage the job training services that that agency provides to recipients of aid to families with dependent children.

Vetoed
in Part

~~(3z) MEDICAL ASSISTANCE IN ROCK COUNTY. The department of health and social services may not implement a requirement that medical assistance recipients who live in Rock county and receive aid to families with dependent children or who are eligible for medical assistance under section 49.46 (1) (a) 9 or 10 or 49.47 (4) (am) of the statutes enroll in health maintenance organizations before July 1, 1994.~~

Vetoed
in Part

(4f) HOME HEALTH REIMBURSEMENT RULES.

(a) The department of health and social services shall submit proposed rules for the administration of section 49.45 (8) of the statutes, as affected by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than September 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required for the administration of section 49.45 (8) of the statutes, as affected by this act, for the period prior to the effective date of the

rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

Vetoed
in Part

~~(4D) EARLY INTERVENTION SERVICES~~

~~(a) Unless a delay is authorized under paragraph (c), the department of health and social services shall submit, by a date that will ensure receipt by the federal department of education by July 1, 1992, requests to the federal department of education, on behalf of the governor, for participation by this state in fiscal year 1992-93 in 5th-year requirements under 20 USC 1476 and for participation by this state in fiscal year 1993-94 in 6th-year requirements under 20 USC 1476.~~

~~(b) The department of health and social services shall submit to the joint committee on finance, for consideration by the joint committee at its September 1992 meeting under section 13.10 of the statutes, a plan for the allocation of state and federal funds to counties if the state's participation is funded under 20 USC 1475 (c). The plan shall include all of the following:~~

~~1. Provisions for the allocation of a portion of funds to counties that, as of July 1, 1992, provide services to infants and toddlers with disabilities and their families.~~

~~2. Identification of the amount of funding that can reasonably be expected to be effectively administered by each county for purposes under section 51.44 of the statutes within the period for which funds under section 51.44 of the statutes are allocated.~~

~~(c) Notwithstanding section 51.44 (3) (a) of the statutes, as affected by this act, if the department of health and social services submits to the joint committee on finance a request for a delay, until July 1, 1993, of compliance by this state with requirements for state participation under 20 USC 1475 (c) and if the committee determines that the delay is warranted, the committee may authorize the delay. The department of health and social services shall submit the request to the joint committee on finance in time to permit review and authorization or disapproval at the committee's June 1992 meeting under section 13.10 of the statutes. The request of the department of health and social services shall include all of the following:~~

~~1. A description, by county, of progress in implementing the requirements of the state's participation under 20 USC 1475 (b) in the 4th year of the program under section 51.44 of the statutes.~~

~~2. A plan, including timelines, for providing counties with the funding and assistance necessary to enable all counties to comply, in fiscal year 1993-94, with requirements for state participation under 20 USC 1475 (c) in the 5th year of the program under section 51.44 of the statutes.~~

(4X) MATERNAL AND CHILD HEALTH BLOCK GRANT FUNDS. The department of health and social services shall allocate \$2,660,000 received under the maternal and child health block grant program under 42 USC 701 to 709 under section 20.435 (1) (md) of the statutes in fiscal year 1992-93 for the purpose of providing vaccine to immunize children under section 140.05 (16) (a) of the statutes.

(5) HOSPICE REGULATION. The authorized FTE positions for the department of health and social services, funded from the appropriation under section 20.435 (1) (dv) of the statutes, as affected by this act, are decreased by 1.0 GPR position on June 30, 1992.

(5C) RULES; PROVIDER CLAIMS FOR MEDICAL ASSISTANCE REIMBURSEMENT.

(a) The department of health and social services shall submit proposed rules on provider claims for medical assistance reimbursement under section 49.45 (3) of the statutes to the legislative council staff for review under section 227.15 (1) of the statutes no later than September 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules under section 49.45 (3) of the statutes for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

~~(5D) MEDICAL ASSISTANCE SERVICES COUNCIL. Notwithstanding the length of terms specified in section 15.197 (13) (c) of the statutes, as created by this act, the initial terms of the members of the medical assistance services council expire as follows:~~

Vetoed
in Part

~~(a) The members appointed under section 15.197 (13) (a) 1 and 4 of the statutes, as created by this act, and 2 of the members appointed under section 15.197 (13) (a) 5 of the statutes, as created by this act, on July 1, 1995.~~

~~(b) The member appointed under section 15.197 (13) (a) 2 of the statutes, as created by this act, and 3 of the members appointed under section 15.197 (13) (a) 5 of the statutes, as created by this act, on July 1, 1994.~~

~~(c) The member appointed under section 15.197 (13) (a) 3 of the statutes, as created by this act, and 2 of the members appointed under section 15.197 (13) (a) 5 of the statutes, as created by this act, on July 1, 1993.~~

(5P) ASSESSMENTS ON OCCUPIED, LICENSED BEDS; RULES.

(a) The department of health and social services shall submit proposed rules required under section 50.14 (5) (b) 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 October 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required under section 50.14 (5) (b) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(5w) PRIMARY CARE PROVIDERS IN HEALTH PROFESSIONAL SHORTAGE AREAS. Of the funds appropriated for fiscal year 1992-93 under section 20.435 (1) (b) of the statutes, the department of health and social services shall ensure that the moneys for supplemental payments to physicians who provide primary care services in, or to residents of, health professional shortage areas in this state, at 10% above primary care provider rates under the medical assistance program, are paid to the physicians and are not used to supplant funds that previously were used for payment to the physicians.

(5z) ENVIRONMENTAL HEALTH REGULATORY PROGRAM REVENUE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of health and social services shall submit information concerning the appropriation under section 20.435 (1) (gm) of the statutes as though the decrease in the dollar amount of that appropriation by SECTION 9225 (29p) of this act had not been made.

(6g) ALCOHOL AND OTHER DRUG ABUSE TREATMENT PROGRAMS. Notwithstanding section 20.435 (6) (hx) of the statutes, during fiscal year 1992-93 the department of health and social services shall allocate \$650,000 from the appropriation under section 20.435 (6) (gb) of the statutes and \$1,614,700 from the appropriation under section 20.435 (6) (hx) of the statutes for alcohol and other drug abuse treatment programs in community aids under section 46.40 of the statutes.

(6j) HOMELESS INDIVIDUALS; MENTAL HEALTH SERVICES DECREASE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of health and social services shall submit information concerning the appropriation under section 20.435 (7) (ce) of the statutes as though the decrease in the dollar amount of that appropriation by SECTION 9225 (11g) of this act had not been made.

Vetoed in Part (6w) REQUEST FOR PROPOSALS FOR THE PROVISION OF SECURED CORRECTIONAL FACILITIES FOR DELINQUENT GIRLS.

(a) Notwithstanding 1991 Wisconsin Act 39, section 9125 (18j) (a), the department of health and social services, or if that department bids on any request for proposals prepared under that paragraph, the

department of administration may not choose an organization to provide a secured correctional facility, as defined in section 48.02 (15m) of the statutes, from bids submitted in response to any request for proposals prepared under 1991 Wisconsin Act 39, section 9125 (18j) (a) that is not prepared in accordance with paragraph (b).

Vetoed in Part

(b) The secretary of health and social services shall appoint an advisory committee under section 15.04 (1) (c) of the statutes to prepare a proposed request for proposals in accordance with 1991 Wisconsin Act 39, section 9125 (18j) (a), for the provision of one or more secured correctional facilities, as defined in section 48.02 (15m) of the statutes, for the care and treatment of girls who have been adjudicated delinquent. The advisory committee appointed under this paragraph shall include the following members:

1. One representative of the division of community services in the department of health and social services.
2. One representative of the division of youth services in the department of health and social services.
3. One representative of the Milwaukee county department of social services.
4. One representative of the Wisconsin association of family and children's agencies.
5. One representative of a culturally sensitive, community-based human services or social services agency that is located in Milwaukee county and one representative of a culturally sensitive, community-based human services or social services agency that is located in a county other than Milwaukee county. In this subdivision, "culturally sensitive" means aware of and understanding of the cultural characteristics of the populations served by the human services or social services agency.

(7f) PARTIAL HOSPITALIZATION RULES.

Vetoed in Part

(a) The department of health and social services shall submit proposed rules required under section 51.039 (4) 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 October 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required under section 51.039 (4) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

(7g) EVALUATION OF FAMILY CONSORTIUM. By December 31, 1992, a family consortium that receives funding under section 46.278 (6) (c) of the statutes, as created by this act, shall provide to the department of health and social services information, as requested,

that shall enable the department to evaluate the cost-effectiveness and quality of services provided by the family consortium.

Vetoed in Part (7m) ~~RULE SPECIFYING NONEXPERIMENTAL TREATMENT FOR INFERTILITY.~~ The department of health and social services shall submit the proposed rule required under section 632.895 (10) (c) 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 7th month beginning after the effective date of this subsection.

Vetoed in Part (7p) ~~DOMESTIC ABUSE GRANTS.~~ Notwithstanding section 16.50 of the statutes, the department of health and social services may expend not more than \$200,000 in fiscal year 1991-92, and not more than \$200,000 in fiscal year 1992-93, from the appropriation under section 20.435 (7) (hk) of the statutes, to provide grants to domestic abuse service organizations under section 46.95 of the statutes.

Vetoed in Part (7w) ~~DOMESTIC ABUSE IDENTIFICATION TRAINING PROGRAM GRANT.~~

(a) The department of health and social services may make a grant of not more than \$40,000 from the appropriation under section 20.435 (1) (fd) of the statutes, as created by this act, to a person if all of the following apply:

1. The person uses the grant proceeds to develop and implement a program for training physicians and other health care professionals to identify for treatment victims of domestic abuse.
2. The person submits a plan for the training program to the department of health and social services that details the proposed use of the grant proceeds.
3. The person provides matching funds equal to 2 times the amount of the grant. The match may be in the form of money or in-kind contributions. The department of health and social services shall determine what may be used as in-kind contributions.
4. The secretary of health and social services approves the plan submitted under subdivision 2 before awarding the grant.
5. The person agrees to submit to the department of health and social services, within 90 days after spending the full amount of the grant, a report detailing the actual use of the grant proceeds.

(b) This subsection does not apply after June 30, 1993.

Vetoed in Part (9d) ~~COUNCIL ON AMERICAN INDIAN HEALTH MEMBERSHIP.~~ Notwithstanding the length of terms of the members of the council on American Indian health specified under section 15.197 (22) of the statutes, as created by this act, the members initially appointed to the council shall be appointed for the following terms:

(a) Four members, including at least 3 members selected from names submitted by the Wisconsin American Indian tribes or the Great Lakes inter-tribal council, for a term that expires July 1, 1994.

(b) Four members, including at least 3 members selected from names submitted by the Wisconsin

American Indian tribes or the Great Lakes inter-tribal council, for a term that expires July 1, 1995. **Vetoed in Part**

(c) Five members, including at least 3 members selected from names submitted by the Wisconsin American Indian tribes or the Great Lakes inter-tribal council, for a term that expires July 1, 1996.

(10j) ~~INDEPENDENT LIVING CENTER.~~ From the appropriation under section 20.435 (7) (c) of the statutes, the department of health and social services shall allocate \$110,000 in fiscal year 1992-93 as a grant under section 46.96 of the statutes to establish an independent living center in a western part of this state that is not currently served by an independent living center. **Vetoed in Part**

(11f) ~~MATERNAL AND CHILD HEALTH ADMINISTRATION.~~ The authorized FTE positions for the department of health and social services, funded from moneys under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, are decreased, on July 1, 1992, by 4.05 FTE positions providing budget and management services in the subunit of the department that deals with health and by 3.4 FTE positions as the result of reorganization of the subunit of the department that deals with health. The department of health and social services shall decrease funding under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, by \$385,600 as the result of the position decreases under this subsection. **Vetoed in Part**

(11g) ~~MATERNAL AND CHILD HEALTH PROJECT POSITION.~~ The authorized project positions for the department of health and social services, funded from moneys under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, are decreased, on July 1, 1992, by 0.35 FTE administrative position that provides assistance to the administrator of the subunit of the department that deals with health and that is intended to terminate on March 13, 1992. The department of health and social services shall decrease funding under the maternal and child health services block grant program under 42 USC 701 to 709 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, by \$31,200 as the result of the position decrease under this subsection. **Vetoed in Part**

(11g) ~~MATERNAL AND CHILD HEALTH BLOCK GRANT AIDS.~~ The department of health and social services shall increase funding under the maternal and child health block grant program under 42 USC 701 to 709 under section 20.435 (1) (md) of the statutes by \$416,800 for fiscal year 1992-93 for the purpose of providing aids to individuals or organizations. **Vetoed in Part**

(11h) ~~SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN ADMINISTRATION.~~ The authorized FTE positions for the department of health and social services, funded from moneys under the special

supplemental food program for women, infants and children authorized under 42 USC 1786 from the appropriation under section 20.435 (1) (n) of the statutes are decreased, on July 1, 1992, by 0.1 FED position as the result of reorganization of the subunit of the department that deals with health.

Vetoed in Part (11) ~~PREVENTIVE HEALTH SERVICES PROJECT GRANTS.~~ The authorized project positions for the department of health and social services, funded from moneys under project grants for preventive health services under 42 USC 2476 from the appropriation under section 20.435 (1) (mc) of the statutes, as affected by this act, are decreased, on July 1, 1992, by 0.65 FED administrative position that provides assistance to the administrator of the subunit of the department that deals with health and that is intended to terminate on March 13, 1992. The department of health and social services shall decrease funding under the preventive health services project grant program under 42 USC 2476 under section 20.435 (1) (mc) of the statutes, as affected by this act, by \$58,000 as the result of the position decrease under this subsection.

(11g) ~~PREVENTIVE HEALTH SERVICES PROJECT AIDS.~~ The department of health and social services shall increase funding under the preventive health services project grant program under 42 USC 2476 under section 20.435 (1) (md) of the statutes by \$58,000 for fiscal year 1992-93 for the purpose of providing aids to individuals or organizations.

Vetoed in Part (12) ~~CAPACITY BUILDING FOR TREATMENT PROGRAMS.~~ The department of health and social services shall allocate \$649,700 received under the alcohol, drug abuse and mental health block grant program under 42 USC 300a to 300c-9 under section 20.435 (7) (md) of the statutes in fiscal year 1992-93 for the purpose of funding capacity building for treatment programs under section 46.86 of the statutes, as affected by this act.

(12g) **RULES ON MAMMOGRAPHY SERVICES.**

(a) The department of health and social services shall submit any proposed rules specifying the 12 rural counties having the highest incidence in the state of late-stage breast cancer under section 146.0275 (3) 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 October 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules specifying the 12 rural counties having the highest incidence in the state of late-stage breast cancer under section 146.0275 (3) of the statutes, as created by this act for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

SECTION 9126. Nonstatutory provisions; higher educational aids board.

(1g) **WEST MILWAUKEE HIGH SCHOOL SCHOLARS.** Notwithstanding section 39.41 (1m) of the statutes, by the end of the 1991-92 school year, the school board of the West Allis/West Milwaukee school district shall designate the 2 seniors from the West Milwaukee high school with the 2 highest grade point averages in all subjects as scholars. The seniors designated under this subsection shall be eligible for an original scholarship under section 39.41 of the statutes for the 1992-93 school year.

SECTION 9127. Nonstatutory provisions; historical society.

(1) **ARCHIVES AND RESEARCH SERVICES.** The authorized FTE positions for the historical society, funded from the appropriation under section 20.245 (1) (a) of the statutes, are decreased by 1.5 GPR positions on July 1, 1992.

(2) **ADMINISTRATIVE SERVICES.** The authorized FTE positions for the historical society, funded from the appropriation under section 20.245 (4) (a) of the statutes, are decreased by 1.0 GPR position on July 1, 1992, for the performance of administrative services.

(2g) **FUND-RAISING POSITION.** The authorized FTE positions for the historical society are increased by 1.0 GPR project position for the period beginning on January 1, 1993, and ending on December 31, 1996, to be funded from the appropriation under section 20.245 (4) (a) of the statutes, for purposes related to fund raising and other activities specified by the director of the historical society.

(2x) **SUBMERGED CULTURAL RESOURCES COUNCIL.** Notwithstanding section 15.707 (2) (b) of the statutes, as created by this act, the terms of the initial members of the submerged cultural resources council appointed under section 15.707 (2) (a) 6 and 7 of the statutes, as created by this act, shall expire as follows:

(a) On July 1, 1994, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.

(b) On July 1, 1995, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.

(c) On July 1, 1996, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor, and for the member appointed under section 15.707 (2) (a) 6 of the statutes, as created by this act.

(3t) **STATE-FUNDED MARKERS AND PLAQUES.** Of the amounts appropriated to the historical society under section 20.245 (3) (d) of the statutes, as created by this act, the historical society shall expend \$10,000 in fiscal year 1992-93 for markers and plaques on historical properties owned by persons other than the state.

SECTION 9128. Nonstatutory provisions; housing and economic development authority.

(1) **WISCONSIN DEVELOPMENT RESERVE FUND TRANSFER.** Within 3 days after the effective date of this sub-

section, the Wisconsin housing and economic development authority shall transfer to the department of administration for deposit in the general fund \$2,262,800 from the Wisconsin development reserve fund under section 234.93 of the statutes.

SECTION 9129. Nonstatutory provisions; industry, labor and human relations.

(1) MULTIFAMILY DWELLING CODE COUNCIL.

(a) Notwithstanding the length of terms specified in section 15.227 (20) (a) (intro.) of the statutes, as created by this act, the first members of the multifamily dwelling code council created by section 15.227 (20) of the statutes, as created by this act, shall be appointed by the governor for the following terms:

1. One member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, the member appointed under section 15.227 (20) (a) 6 of the statutes, as created by this act, and the 2 members appointed under section 15.227 (20) (a) 7 of the statutes, as created by this act, for terms expiring on July 1, 1995.

2. One member appointed under section 15.227 (20) (a) 1 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 2 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 3 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 4 of the statutes, as created by this act, and one member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1994.

3. One member appointed under section 15.227 (20) (a) 1 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 2 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 3 of the statutes, as created by this act, one member appointed under section 15.227 (20) (a) 4 of the statutes, as created by this act, and one member appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1993.

(b) The 2 members appointed to succeed the 2 members appointed under section 15.227 (20) (a) 5 of the statutes, as created by this act, for terms expiring on July 1, 1993, and July 1, 1994, respectively, shall each represent a product category specified in section 15.227 (20) (a) 5 of the statutes, as created by this act, that has not been represented by a member.

(2) MULTIFAMILY DWELLING RULES. The department of industry, labor and human relations shall submit the proposed rules required under section 101.973 of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes, no later than July 1, 1993.

(2g) PENALTIES FOR CHILD LABOR VIOLATIONS. The department of industry, labor and human relations shall study the penalties imposed under sections 103.29 and 103.82 of the statutes and develop a proposal for legislation to implement a two-tiered system

~~of penalties for violations of the child labor laws under which a person who commits a major violation receives a major penalty and a person who commits a minor violation receives a minor penalty. The department shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes by no later than January 1, 1993.~~

(3f) UNIFORM FIREWALL IDENTIFICATION RULES. The department of industry, labor and human relations shall promulgate rules under section 101.135 (1) of the statutes, as created by this act, to be effective no later than January 1, 1993.

(3j) ALTERNATIVE DISPUTE RESOLUTION. In fiscal year 1992-93, the department of industry, labor and human relations shall assign not less than 1.0 FTE position of that department, in addition to the full-time equivalent positions assigned in fiscal years 1991-92, to provide alternative dispute resolution of complaints filed under section 111.39 of the statutes.

SECTION 9131. Nonstatutory provisions; investment board.

(1g) POSITION AUTHORIZATIONS. The authorized FTE positions for the investment board are increased by 4.0 PR positions, to be funded from the appropriation under section 20.536 (1) (k) of the statutes, to provide staffing for a growth stock division.

SECTION 9135. Nonstatutory provisions; justice.

(1f) GAMING LAW ENFORCEMENT; LOTTERY REVENUES. The authorized FTE positions for the department of justice are increased by 5.0 SEG positions on July 1, 1992, or on the effective date of this subsection, whichever is later, for the performance of the department's gaming law enforcement responsibilities as specified in section 165.70 (3m) of the statutes, as created by this act, to be funded from the appropriation under section 20.455 (2) (r) of the statutes, as created by this act.

(1g) GAMING LAW ENFORCEMENT; RACING REVENUES. The authorized FTE positions for the department of justice are increased by 3.0 PR positions on July 1, 1992, or on the effective date of this subsection, whichever is later, for the performance of the department's gaming law enforcement responsibilities as specified in section 165.70 (3m) of the statutes, as created by this act, to be funded from the appropriation under section 20.455 (2) (g) of the statutes, as created by this act.

SECTION 9136. Nonstatutory provisions; legislature.

(1x) PAYMENTS FOR MUNICIPAL SERVICES. The legislature intends to appropriate the necessary moneys to fully fund the payments for municipal services program under section 70.119 of the statutes beginning in the 1993-94 fiscal year.

(2e) STUDY OF EXTENDED SCHOOL YEAR. The legislative council is requested to study the issue of increasing the number of school days held each school year,

Vetoed
in Part

Vetoed
in Part

including the educational impact, the costs, whether the increase should be encouraged or required and how to fund the additional costs. By March 1, 1993, the legislative council shall report its findings, conclusions and recommendations to the legislature in the manner provided under section 13.172 (2) of the statutes.

(3d) **DOMESTIC ABUSE STUDY.** The legislative council is requested to study the problems associated with the definition of domestic abuse, domestic abuse restraining orders, service of a domestic abuse restraining order and fees regarding domestic abuse restraining orders and the service of those orders. If the legislative council conducts the study requested under this subsection, the legislative council is requested to report its findings, conclusions and recommendations for legislation to the presiding officer of each house of the legislature in the manner provided under section 13.172 (2) of the statutes before October 1, 1993.

SECTION 9138. Nonstatutory provisions; lottery board.

(1c) **ABOLISHING LOTTERY BOARD; TRANSITIONAL PROVISIONS.** During the period beginning on the effective date of this subsection and ending on October 1, 1992, the lottery board shall cooperate with the gaming commission, as created by this act, in providing orderly and efficient transfers under this subsection. On October 1, 1992, all of the following apply:

(a) The assets and liabilities of the lottery board shall become the assets and liabilities of the gaming commission.

Vetoed in Part (b) ~~Except as provided in SECTION 9160 (1) (bm) of this act, all positions and incumbent employes holding positions in the lottery board are transferred to corresponding positions in the gaming commission.~~

Vetoed in Part (bm) ~~The positions of executive director and deputy director of the lottery board are transferred to become 2 of the 4 division administrator positions of the gaming commission.~~

(d) The employes transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the lottery board before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe transferred under paragraph (b) who has attained permanent status in class is required to serve a probationary period.

(e) All furniture, equipment, supplies and records of the lottery board are transferred to the gaming commission.

(f) All contracts entered into by the lottery board that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any such contractual obligations.

(g) All rules promulgated by the lottery board that are in effect on October 1, 1992, remain in effect until

their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the lottery board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(h) Any matter pending with the lottery board on October 1, 1992; is transferred to the gaming commission, and all materials submitted to or actions taken by the lottery board with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(i) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the lottery board, and the amounts collected shall be deposited in the lottery fund.

SECTION 9142. Nonstatutory provisions; natural resources.

(1m) **KLEIN CREEK BRIDGE.** From the appropriation under section 20.370 (4) (bu) of the statutes, as amended by this act, the department of natural resources shall pay \$111,780 in fiscal year 1992-93 to Adams county to reimburse the county for costs it incurred in constructing a bridge over Klein creek and under which watercraft may pass. The payment under this subsection shall be considered an expenditure for fiscal year 1992-93 for inland water projects under section 30.92 (4) (b) 6 of the statutes.

(1p) **GENERAL FUND SUPPLEMENT FOR ENVIRONMENTAL REPAIR DECREASE.** Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of natural resources shall submit information concerning the appropriation under section 20.370 (2) (md) of the statutes as though the decrease in that appropriation by SECTION 9242 (9y) of this act had not been made.

(1z) **FOX RIVER LONG-RANGE PLAN.** From the appropriation under section 20.370 (1) (dq) of the statutes, as affected by this act, not more than \$40,000 may be expended in the 1991-93 fiscal biennium to contract for services to implement the April 1989 long-range plan prepared by the east central Wisconsin regional planning commission and the lower Fox river/Winnebago pool long-range plan task force. The amount expended in each fiscal year shall equal the amount contributed by local units of government for the implementation of the long-range plan or the maximum amount specified in this subsection, whichever is less. The contribution by local units of government shall be made by in-kind services or in cash.

(2) POSITION AUTHORIZATIONS.

(a) The authorized FTE positions for the department of natural resources are increased by 4.33 FED positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (my) of the statutes, for wildlife management.

(am) The authorized FTE positions for the department of natural resources are increased by 4.33 FED positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (my) of the statutes, for fisheries management.

(b) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (1) (ma) of the statutes, are decreased by 7.66 GPR property management positions on July 1, 1992.

(c) The authorized FTE positions for the department of natural resources, funded from the appropriation under section 20.370 (1) (ma) of the statutes, are decreased on July 1, 1992, by 1.0 GPR position for aeronautics and communications.

(2w) AIR MANAGEMENT POSITIONS.

Vetoed in Part (c) The authorized FTE positions for the department of natural resources are increased by 9.0 PR positions on July 1, 1992, to be funded from the appropriation under section 20.370 (2) (bg) of the statutes, as created by this act, for purposes related to stationary sources of air contaminants.

(d) The authorized FTE positions for the department of natural resources are increased by 3.0 PR project positions for the period beginning on July 1, 1992, and ending on December 31, 1993, and by 3.0 PR project positions for the period beginning on July 1, 1992, and ending on July 1, 1994, to be funded from the appropriation under section 20.370 (2) (bg) of the statutes, as created by this act, for purposes related to stationary sources of air contaminants.

(e) The authorized FTE positions for the department of natural resources are decreased, on July 1, 1992, by 10.0 PR permit implementation and enforcement positions funded from the appropriation under section 20.370 (2) (ci) of the statutes.

(f) The authorized FTE positions for the department of natural resources are decreased, on July 1, 1992, by 74.5 GPR air management positions funded from the appropriation under section 20.370 (2) (ma) of the statutes.

(g) The authorized FTE positions for the department of natural resources are decreased, on July 1, 1992, by 3.0 GPR air management project positions funded from the appropriation under section 20.370 (2) (ma) of the statutes.

(h) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position, on July 1, 1992, to be funded from the appropriation under section 20.370 (8) (mg) of the statutes, as created by this act, for administrative rule development, enforcement and activities related to information and education relating to stationary sources of air pollution.

(i) The authorized FTE positions for the department of natural resources are increased by 1.0 PR position on July 1, 1992, to be funded from the appropriation under section 20.370 (2) (bh) of the statutes, as created by this act, to administer the gasoline vapor

recovery program under section 144.405 (5) of the statutes.

(j) The authorized FTE positions for the department of natural resources are increased by 2.0 PR project positions for the period beginning on July 1, 1992, and ending on March 14, 1995, to be funded from the appropriation under section 20.370 (4) (ig) of the statutes, as created by this act, to administer the gasoline vapor recovery grants under section 144.405 (5) of the statutes.

(k) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position on July 1, 1992, to be funded from the appropriation under section 20.370 (4) (ig) of the statutes, as created by this act, to administer the gasoline vapor recovery grant program under section 144.405 (5) of the statutes.

(L) The authorized FTE positions for the department of natural resources are increased by 0.5 PR position, on July 1, 1992, to be funded from the appropriation under section 20.370 (8) (mh) of the statutes, as created by this act, for administrative rule development, enforcement and activities related to information and education relating to mobile sources of air pollution.

(3) COUNTY SALES AND USE TAXES. The authorized FTE positions for the department of natural resources are increased by 1.5 PR positions on July 1, 1992, to be funded from the appropriation under section 20.370 (1) (mk) of the statutes, for the purpose of administering the county sales and use taxes.

(3dp) FOUNDRY SAND STUDY. The department of natural resources shall conduct a study to identify ways in which foundry sand can be reused. The department shall report the results of the study to the cochairpersons of the joint committee on finance no later than the first day of the 8th month beginning after the effective date of this subsection.

Vetoed in Part

(3p) GREAT LAKES REMEDIAL ACTION FUNDING DECREASE. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of natural resources shall submit information concerning the appropriation under section 20.370 (2) (af) of the statutes as though the decrease in that appropriation by SECTION 9242 (8) of this act had not been made.

~~(7g) INCINERATION STUDY~~

Vetoed in Part

~~(a) The department of natural resources shall study the environmental consequences of using incinerators to burn municipal solid waste. The department of natural resources shall make recommendations based on its findings, including recommendations for any needed legislation or changes in administrative rules for the following purposes:~~

- ~~1. Implementing provisions in the clean air act amendments of 1990, P.L. 101-549, relating to municipal solid waste incinerators.~~

**Vetoed
in Part**

~~2. Authorizing the department of natural resources to review the need for proposed municipal solid waste incinerators, taking into account the impact of recycling requirements, and the design, operational requirements and capacity of proposed municipal solid waste incinerators.~~

~~3. Requiring consideration of the potential costs of disposal of ash resulting from the operation of municipal solid waste incinerators.~~

~~4. Ensuring that sufficient municipal solid waste will be available to be burned in municipal solid waste incinerators that are constructed.~~

~~5. Ensuring that designers and builders of municipal solid waste incinerators provide insurance or other financial assurance for protection against problems with those incinerators that are the fault of those designers and builders.~~

~~(b) The department of natural resources shall submit its report on the findings and recommendations of the study under paragraph (a) to the governor and to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes on or before January 1, 1993.~~

~~(7j) NONPOINT SOURCE PROGRAM ENCUMBRANCES.~~

~~(a) On the effective date of this paragraph, \$15,800,900 of encumbered funds in the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes is disencumbered.~~

~~(b) Paragraph (a) does not authorize the department of natural resources to refuse to honor any contractual obligation that it has incurred on or before the effective date of this paragraph to expend funds from the appropriation under section 20.370 (4) (cc) of the statutes.~~

~~(8g) AQUATIC NUISANCE CONTROL COUNCIL, INITIAL COMPOSITION AND TERMS.~~

~~(a) Notwithstanding section 15.347 (18) (b) of the statutes, as created by this act, the initial composition of the aquatic nuisance control council shall consist of the following members:~~

~~1. The secretary of natural resources or his or her designee.~~

~~2. One member who represents the sea grant institute of the university of Wisconsin system.~~

~~3. One member who represents a public water utility.~~

~~4. One member who represents an electric public utility.~~

~~5. One member who represents an industry that withdraws a substantial amount of water from a lake or river in its production process.~~

~~6. Six members, each of whom has a background in the area of conservation, environmental policy or public health.~~

~~(b) Notwithstanding section 15.347 (18) (c) of the statutes, as created by this act, the members appointed under subdivisions 2 to 5 shall be appointed for terms of 18 months beginning on the dates of their appointments.~~

(c) Each member appointed under subdivisions 2 to 5 shall be replaced at the end of his or her term by a member who has a background in the area of conservation, environmental policy or public health.

(d) Notwithstanding section 15.374 (18) (c) of the statutes, as created by this act, 3 of the initial members appointed under paragraph (a) 6 shall be appointed for terms expiring on July 1, 1994, and 3 of the initial members appointed under paragraph (a) 6 shall be appointed for terms expiring on July 1, 1995.

(e) Notwithstanding section 15.374 (18) (c) of the statutes, as created by this act, the members who replace the initial members as provided under paragraph (c) shall be appointed for terms expiring on July 1, 1996.

~~(8h) AQUATIC NUISANCE CONTROL RULES.~~

~~(a) The department of natural resources shall submit the proposed rules required under section 30.1255 (4) (a) of the statutes, as created by this act, as they relate to the possession, transportation and introduction of the zebra mussel, to the legislative council staff under section 227.15 (1) of the statutes within 12 months after the effective date of this paragraph.~~

~~(b) The department of natural resources shall submit the proposed rules required under section 30.1255 (4) (c) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes within 12 months after the effective date of this paragraph.~~

(8w) GREAT LAKES RECREATIONAL BOATING AIDS. Notwithstanding the percentages under section 30.92 (4) (b) 6 of the statutes and before encumbering any moneys using those percentages for fiscal year 1992-93, of the amounts appropriated under section 20.370 (4) (bu) of the statutes, the department of natural resources may not expend \$1,000,000 in fiscal year 1992-93 except for recreational boating aids for Great Lakes projects.

(8x) RECREATIONAL BOATING AIDS; LA CROSSE HARBOR DEVELOPMENT. Of the amounts appropriated under section 20.370 (4) (bu) of the statutes, the department of natural resources may not expend \$250,000 in fiscal year 1992-93 except for harbor development in the city of La Crosse. Any amount expended under this subsection shall be considered an expenditure for an inland waters project as provided in section 30.92 (4) (b) 6 of the statutes. This harbor development need not be placed on the priority list under section 30.92 (3) (a) of the statutes.

(9m) BLACK HAWK WAR EXHIBIT. From the appropriation under section 20.370 (8) (mu) of the statutes, the department of natural resources shall expend not more than \$5,000 in fiscal year 1992-93 to fund a one-time feasibility study of a visitor's center, interpretive center, walking tour or educational exhibit on the history of the Black Hawk War of 1832, to be located at the site of the Battle of Wisconsin Heights in Dane county. The department shall fund the study after consultation with the historical society. The study

**Vetoed
in Part**

shall include recommendations on state, county or private involvement in site development and educational resources.

(9p) DEER FARM FENCING. The department of natural resources shall submit the proposed rules required under section 29.58 (4) 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 31, 1992.

Vetoed
in Part

~~(10g) FOREST RANGER STATION STUDY.~~

~~(a) The department of natural resources shall study the feasibility and effects of consolidating some of the department's forest ranger stations. The department shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes on or before the first day of the 13th month beginning after the effective date of this subsection.~~

~~(b) The department of natural resources may not close any of its forest ranger stations before it reports its findings and recommendations under paragraph (a).~~

(10x) PLAN FOR PREVENTION OF THE SPREAD OF WATER MILFOIL. The department of natural resources shall report to the legislature on the location and spread of Eurasian water milfoil in the state and shall develop a plan to prevent its spread in the state. The department shall submit the report and plan before July 15, 1992, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes and to the joint committee on finance.

Vetoed
in Part

(10z) NOTIFICATION OF ADDITIONAL AIDS FOR COUNTY SNOWMOBILE ENFORCEMENT. The department of natural resources shall inform county law enforcement agencies and county boards that the appropriation under section 20.370 (4) (ft) of the statutes to the department for law enforcement aids to counties to enforce snowmobile laws has been increased by \$75,000 to \$200,000 for fiscal year 1992-93.

(11w) PORTAGE CANAL AND FORT WINNEBAGO.

(a) From the appropriation under section 20.370 (1) (ds) of the statutes, as created by this act, the department of natural resources shall provide \$60,000 in fiscal year 1992-93 to the city of Portage for planning costs for the project to reopen the Portage canal for recreational boating traffic.

(b) The department of natural resources shall contract for a study on how the reopening of the Portage canal and the reconstruction of Fort Winnebago would impact on the local economy and tourism. The department shall consult with the city of Portage and the Portage area chamber of commerce to assist the department in determining with whom to contract for the study. The department may expend in fiscal year 1992-93 from the appropriation under section 20.370 (1) (ds) of the statutes, as created by this act, up to

\$20,000 for this study. The department shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1992.

(12c) STUDY OF WHITE-TAILED DEER FARMING. The department of natural resources, in consultation with the department of agriculture, trade and consumer protection, shall conduct a study to address the issues of white-tailed deer farming. The department of natural resources shall report the study's findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (3) of the statutes no later than December 31, 1992.

SECTION 9145. Nonstatutory provisions; public instruction.

(4g) ALTERNATIVE SCHOOL FUNDING. Notwithstanding section 20.255 (2) (bc) of the statutes and section 118.153 of the statutes, as affected by 1991 Wisconsin Act 39, the state superintendent of public instruction shall distribute from the amount appropriated under section 20.255 (2) (bc) of the statutes in the 1992-93 fiscal year \$30,000 to the Durand school district for the Maxville alternative school and \$25,000 to the Blair school district for the Beach alternative school.

~~(6m) MINIMUM AID. Notwithstanding section 121.10 of the statutes, each school district eligible for aid under that section of the statutes in the 1992-93 school year shall receive in the 1992-93 school year the same amount of aid under that section of the statutes that it received in the 1991-92 school year.~~

Vetoed
in Part

(7t) LICENSURE OF SCHOOL BUSINESS ADMINISTRATORS.

(a) Upon application, the state superintendent may license an individual as a school business administrator if the individual satisfies all of the following requirements:

Vetoed
in Part

1. On the date of the application, the individual is employed as a school business manager and has been so employed for at least 3 continuous years.

2. On March 20, 1992, the individual was enrolled in courses leading to licensure as a school business administrator based on the rules in effect on that date.

Vetoed
in Part

(b) The state superintendent shall base his or her decision regarding licensure under paragraph (a) on the requirements for a school business administrator license that were in effect on July 1, 1989, or on the date that the individual was first employed as a school business manager, whichever is later.

(9b) YEAR OF SCHOOLS. The legislature declares that the 1992-93 school year is designated the "Year of Schools".

(9c) EDUCATIONAL GOALS.

(a) During the 1992-93 school year, each school board may hold public meetings in the school district on the development of school district and state educational goals and a state vision for education.

(b) There is created a committee on educational goals. The committee shall consist of the following members:

1. The governor or his or her designee.
2. The state superintendent of public instruction or his or her designee.
3. The president of the university of Wisconsin system or his or her designee.
4. The director of the vocational, technical and adult education system or his or her designee.
5. The following members appointed jointly by the governor and the state superintendent of public instruction:

- a. One representative of a public teacher training institution.
- b. One representative of a private school, as defined in section 115.001 (3r) of the statutes, or of a home-based private educational program, as defined in section 115.001 (3g) of the statutes.
- c. One employer.
- d. One representative of a social service agency.
- e. One representative of a teacher organization.
- f. One representative of school boards.
- g. One representative of school administrators.
- h. One representative of parents who have children enrolled in public schools.

(c) During the 1992-93 school year, the committee created under paragraph (b) shall jointly hold regional conferences in the territory of each cooperative educational service agency. Each school board participating under paragraph (a) shall submit its recommendations on school district and state educational goals and a state vision for education to the committee at the appropriate regional conference.

(d) After receiving the school boards' recommendations under paragraph (c), the committee created under paragraph (b) shall jointly hold a statewide conference to establish its recommendations. By September 1, 1993, the committee shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall specify the statutory changes necessary to implement its recommendations.

(e) The committee created under paragraph (b) terminates on September 1, 1993.

(9d) REPORT ON PUPIL ASSESSMENT. By January 1, 1994, the state superintendent of public instruction shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall include the state superintendent's plan for implementing in the 1996-97 school year a pupil assessment program that is consistent with the recommendations under subsection (9c) (d).

(9e) ASSESSMENT COMMITTEE. The state superintendent of public instruction shall appoint a committee under section 15.04 (1) (c) of the statutes consisting of teachers, parents and other interested persons. The committee shall advise the state superintendent on

how to utilize school district and state educational goals in the development of a pupil assessment program. The committee terminates on January 1, 1994.

~~(9f) POSITIONS. (a) The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (1) (a) of the statutes, are decreased by 10.6 GPR positions on July 1, 1992.~~

~~(b) The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (1) (d) of the statutes, as created by this act, are increased by 10.6 GPR positions on July 1, 1992.~~

(9g) STUDENT READINESS STUDY COMMITTEE.

(a) There is established a student readiness study committee consisting of the state superintendent of public instruction and the secretary of health and social services, or their designees, and all of the following:

1. Four members appointed by the governor.
2. Two senators appointed by the majority leader of the senate and 2 senators appointed by the minority leader of the senate.
3. Two representatives to the assembly appointed by the speaker of the assembly and 2 representatives to the assembly appointed by the minority leader of the assembly.

(b) The committee shall evaluate current aid to families with dependent children, health and social welfare programs to determine how well the programs help children prepare for school. By March 1, 1993, the committee shall submit a report to the governor and to the legislature in the manner provided under section 13.172 (2) of the statutes that details the areas in need of improvement and that includes proposals for collaborative efforts between schools and social welfare agencies.

(c) The committee terminates on March 1, 1993.

(9h) PUPIL ASSESSMENT WORKSHOPS. The state superintendent of public instruction shall develop a plan for conducting workshops to train teachers in the administration of performance-based assessments to pupils. The plan shall include a summary of the costs of and a proposal for funding the workshops. As a component of the training, the state superintendent shall stress the importance of keeping each pupil's test scores confidential and of not revealing or requiring a pupil to reveal his or her grade for any assignment, examination or course to other pupils.

(9i) COLLABORATIVE SERVICE PROGRAMS. The department of public instruction and the department of health and social services shall jointly conduct a study to identify administrative and statutory obstacles to operating a collaborative service program. The departments shall submit a report containing their recommendations for legislation to the legislature in the manner provided under section 13.172 (2) of the statutes by February 1, 1993.

Vetoed
in Part

Vetoed
in Part

~~(9) BIENNIAL BUDGET BILL REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for the purposes of the 1993-95 biennial budget bill, the department of public instruction shall submit information concerning the appropriations under section 20.255 (1) (dt) and (2) (dc), (ds), (df), (eg), (eh), (em) and (fn) of the statutes, as created by this act, and section 20.255 (2) (ez) of the statutes, as though the total amount appropriated under those appropriations in the 1992-93 fiscal year was \$2,000,000 higher.~~

SECTION 9146. Nonstatutory provisions; public service commission.

(1g) TELECOMMUNICATIONS STUDY. The public service commission shall conduct a study to determine how telephone line identification numbers and other customer information maintained by a telecommunications utility are used or may be used by that utility and how that customer information is accessed and used or may be accessed and used by other telecommunications utilities, by customers of the utility and by 3rd parties. The public service commission shall report its findings before July 1, 1993, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

SECTION 9147. Nonstatutory provisions; racing board.

(1) ABOLISHING RACING BOARD; TRANSITIONAL PROVISIONS. During the period beginning on the effective date of this subsection and ending on October 1, 1992, the racing board shall cooperate with the gaming commission, as created by this act, in providing orderly and efficient transfers under this subsection. On October 1, 1992, all of the following apply:

(a) The assets and liabilities of the racing board shall become the assets and liabilities of the gaming commission.

Vetoed
in Part

~~(b) Except as provided in Section 9160 (1) (bm) of this act, all positions and incumbent employes holding positions in the racing board are transferred to corresponding positions in the gaming commission.~~

Vetoed
in Part

~~(bm) The positions of director and deputy director of the racing board are transferred to become 2 of the 4 division administrator positions of the gaming commission.~~

(d) The employes transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the racing board before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe transferred under paragraph (b) who has attained permanent status in class is required to serve a probationary period.

(e) All furniture, equipment, supplies and records of the racing board are transferred to the gaming commission.

(f) All contracts entered into by the racing board that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any such contractual obligations.

(g) All rules promulgated by the racing board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the racing board that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(h) Any matter pending with the racing board on October 1, 1992, is transferred to the gaming commission, and all materials submitted to or actions taken by the racing board with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(i) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the racing board, and the amounts collected shall be credited to the appropriation under section 20.197 (1) (g), (3) (h), (hm) or (i) or (4) (g) or 20.455 (2) (g) of the statutes, as appropriate.

~~(2) RULES RELATING TO SIMULCASTS FROM OUT-OF-STATE RACETRACKS. During the period beginning on the effective date of this subsection and ending on September 30, 1992, the racing board may promulgate rules administering section 562.057 (4) of the statutes, as affected by this act, as emergency rules under section 227.24 of the statutes if the racing board determines that the use of the procedure under section 227.24 of the statutes is necessary or is in the best interests of the public. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the racing board is not required to make a finding of emergency.~~

Vetoed
in Part

SECTION 9148. Nonstatutory provisions; regulation and licensing.

(1) ABOLISHING BINGO CONTROL BOARD AND DUTIES RELATING TO BINGO, RAFFLES AND CRANE GAMES; TRANSITIONAL PROVISIONS. During the period beginning on the effective date of this subsection and ending on October 1, 1992, the bingo control board and the department of regulation and licensing shall cooperate with the gaming commission, as created by this act, in providing orderly and efficient transfers under this subsection. On October 1, 1992, all of the following apply:

(a) The assets and liabilities of the bingo control board and of the department of regulation and licensing relating to the regulation of bingo, raffles or crane games shall become the assets and liabilities of the gaming commission.

(b) The 3.5 positions in the department of regulation and licensing, and incumbent employes holding those positions, with responsibilities relating to the

regulation of bingo, raffles and crane games are transferred to corresponding positions in the gaming commission.

(c) The employes transferred under paragraph (b) shall have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the gaming commission which they enjoyed in the department of regulation and licensing before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(d) All furniture, equipment, supplies and records of the bingo control board and of the department of regulation and licensing relating to the regulation of bingo, raffles or crane games are transferred to the gaming commission.

(e) All contracts entered into by the bingo control board or the department of regulation and licensing relating to the regulation of bingo, raffles or crane games and that are in effect on October 1, 1992, remain in effect and are transferred to the gaming commission. The gaming commission shall carry out any such contractual obligations.

(f) All rules promulgated by the bingo control board, and all rules promulgated by the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until amended or repealed by the gaming commission acting under the authority granted by this act. All orders issued by the bingo control board, and all orders issued by the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, that are in effect on October 1, 1992, remain in effect until their specified expiration dates or until modified or rescinded by the gaming commission acting under the authority granted by this act.

(g) Any matter pending with the bingo control board, and any matter pending with the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, on October 1, 1992, is transferred to the gaming commission, and all materials submitted to or actions taken by the bingo control board or department of regulation and licensing with respect to the pending matter are considered to have been submitted to or taken by the gaming commission.

(h) The gaming commission may collect any amount payable under the statutes before October 1, 1992, for the costs of materials, activities or services provided by the bingo control board or the department of regulation and licensing relating to the regulation of bingo, raffles or crane games, and the amounts collected shall be credited to the appropriation under section 20.197 (1) (g) or (4) (g) of the statutes, as appropriate.

SECTION 9149. Nonstatutory provisions; revenue.

(1) COUNTY ASSESSMENT AID. Notwithstanding section 70.99 (12) of the statutes, the 1993 county assessment aid shall be paid on or before the 4th Monday in July.

(1x) PROPERTY TAX DEFERRAL PROGRAM TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the department of revenue shall transfer the property tax deferral program loan portfolio and associated records to the Wisconsin housing and economic development authority. On or before December 31, 1992, that authority shall transfer to the general fund an amount of money equal to the value of that loan portfolio, as determined by the legislative audit bureau. In so doing, that bureau shall adjust the value to reflect the difference between the rate applicable to property tax deferral loans and the rate applicable to similar loans made by the authority and to reflect the amount needed to establish a loan loss reserve equal to 2% of the value of the outstanding loans.

Vetoed
in Part

(bm) *Positions.* The authorized FTE positions for the department of revenue are decreased by 0.5 SEG position funded from the appropriation under section 20.566 (8) (q) of the statutes and the authorized FTE positions for the department of administration are increased by 0.5 GPR position funded from the appropriation under section 20.505 (9) (b) of the statutes, as created by this act, to reflect a change in the funding of the property tax deferral loan program.

(c) *Contracts.* All contracts entered into by the department of revenue relating to existing property tax deferral loans remain in effect and are transferred to the Wisconsin housing and economic development authority.

(d) *Pending matters.* Any matter pending with the department of revenue on the effective date of this paragraph related to existing property tax deferral loans is transferred to the Wisconsin housing and economic development authority, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the Wisconsin housing and economic development authority.

(e) *Transfer.* On the effective date of this paragraph, the money in the fund under section 25.38 of the statutes shall be transferred to the general fund.

(2g) INVESTMENT AND LOCAL IMPACT FUND GRANT. The investment and local impact fund board shall grant funds under chapter Tax 13, Wisconsin administrative code, to a town if the town establishes a committee under section 144.838 of the statutes and applies for the funds before July 1, 1993. The time limits under section Tax 13.07 (2) (a) and (d), Wisconsin administrative code, do not apply to the grant.

(4gx) SHARED REVENUE STUDY. The department of revenue shall enter into a contract with an outside consultant to prepare a study to investigate county, city, village and town overburden, poverty factors,

Vetoed
in Part

Vetoed in Part population growth, urban sprawl and the tax rate disparity program, as they relate to the shared revenue formula. The study may include an investigation of other factors relevant to the formula and shall investigate the public utility component of the shared revenue formula. The department shall report its findings and recommendations by September 1, 1992, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

Vetoed in Part (5f) CONVENTION CENTER STUDY. The department of revenue shall determine the best way to finance the construction of the Wisconsin center in downtown Milwaukee for the purpose of attracting more conventions, visitors and tourists to our state; to determine the best methods to get users of the facility to help pay for the cost of building and operating the new convention center; to project the increase in local and state sales taxes that will be generated by additional conventions, tourists and visitors brought to this state by the new facility; to project the increase in construction and hospitality industry jobs that will be generated by the new convention center; and to project the increased income taxes and franchise taxes that will be generated by the new facility and by associated business growth over the next 10 years. The department shall report its findings and recommendations by May 1, 1992, to the chief clerk of each house of the legislature for distribution to the members in the manner provided in section 13.172 (2) of the statutes.

SECTION 9151. Nonstatutory provisions; secretary of state.

(1) STATEWIDE LIEN SYSTEM REPORT. The secretary of state shall prepare a report that describes the status of the statewide lien system authorized under section 409.410 of the statutes and that specifies when full implementation of the system may be expected. The secretary of state shall submit the report by July 1, 1992, to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

SECTION 9154. Nonstatutory provisions; supreme court.

(1) DIRECTOR OF STATE COURTS; REPORTING OF PRIOR ANNUAL EARNINGS OF JUDGES. Not later than the first day of the 7th month beginning after the effective date of this subsection, the director of state courts shall report to the department of employe trust funds the earnings of each justice or judge who is a participating employe under the Wisconsin retirement system on the effective date of this subsection for the 3 annual earnings periods, as defined in section 40.02 (3) (b) of the statutes, as created by this act, immediately preceding the effective date of this subsection.

Vetoed in Part (1e) LAW LIBRARY EVALUATION. The director of state courts, with the assistance of the state law librarian, shall review and make recommendations regarding the appropriate structure of the state law library

system and assess the legal research and law library needs of the state's judges and attorneys and the general public. The director shall conduct an inventory of existing legal research materials, equipment and space in county law libraries. Not later than January 1, 1994, the director shall submit written findings and recommendations to the governor, to the supreme court and to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes.

(2) PUBLIC INFORMATION OFFICER. The authorized FTE positions for the supreme court, funded from the appropriation under section 20.680 (1) (a) of the statutes, are decreased by 1.0 GPR position for a public information officer.

(3g) MEDIATION COUNCIL MEMBERSHIP TERMS. Notwithstanding the length of terms specified under section 758.15 (1) (a) of the statutes, as created by this act, the terms of the initial members of the mediation council shall expire as follows:

(a) Two members appointed under section 758.15 (1) (a) 1 of the statutes, as created by this act, and one member appointed under section 758.15 (1) (a) 4 of the statutes, as created by this act, on July 1, 1993.

(b) One member appointed under section 758.15 (1) (a) 1 of the statutes, as created by this act, the member appointed under section 758.15 (1) (a) 2 of the statutes, as created by this act, and one member appointed under section 758.15 (1) (a) 4 of the statutes, as created by this act, on July 1, 1994.

(c) Two members appointed under section 758.15 (1) (a) 1 of the statutes, as created by this act, and the member appointed under section 758.15 (1) (a) 3 of the statutes, as created by this act, on July 1, 1995.

(3h) MEDIATION COUNCIL POSITION AUTHORIZATION. There is authorized for the mediation council 1.0 FTE GPR executive secretary position and 0.5 FTE GPR other position to be funded from the appropriation under section 20.680 (2) (c) of the statutes, as created by this act.

(3x) RESEARCH AND LEGAL ACTIVITY. The authorized FTE positions for the supreme court, funded from the appropriation under section 20.680 (1) (a) of the statutes, are decreased by 1.0 GPR position to reflect the transfer of that position to the director of state courts.

SECTION 9155. Nonstatutory provisions; transportation.

(1) DEMAND MANAGEMENT POSITIONS. The authorized FTE positions for the department of transportation are increased by 4.0 PR positions on July 1, 1992, to be funded from the appropriation under section 20.395 (4) (dg) of the statutes, as created by this act, for demand management and air quality assessment activities.

(1d) STUDY AND REPORT. The department of transportation shall study the implementation of sections 341.08 (1m), 341.17 (9), 342.06 (1) (i), 343.14 (2m), 343.235, 343.24 (4) and 343.51 (1m) of the statutes, as

created by this act. The department shall submit a report providing summary data on the designations and requests for information made under these sections and any findings and recommendations for improving the administration of these sections to the governor and the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes on or before the first day of the 15th month beginning after the effective date of this subsection.

(1p) **PHYSICALLY DISABLED PARKING PRIVILEGES.** The department of transportation shall develop a plan for the automation and periodic renewal of the special identification cards under section 343.51 of the statutes that entitle physically disabled persons to special parking privileges, and review and make recommendations on any changes relating to the parking privileges for physically disabled persons that are required for compliance with the federal Americans with disabilities act of 1990, 42 USC 12101 et seq. The department shall report its findings, conclusions and recommendations, including recommended statutory changes, by October 1, 1992, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.

(1q) **MILWAUKEE COUNTY SATELLITE DISTRICT OFFICE.** The department of transportation shall develop a plan for establishing a satellite district office in Milwaukee county. The plan shall consider the following locations for the office: the area near the intersection of Fond du Lac and North avenues; the area near the intersection of Martin Luther King drive and North avenue; and the area near the Milwaukee Amtrak station. The plan shall also consider assigning functions and personnel associated with the light rail, airport, railroad, harbor and demand management activities of the department to this office. The department shall submit the plan for the proposed satellite district office to the joint committee on finance no later than January 1, 1993.

(1x) **GENERAL MITCHELL INTERNATIONAL AIRPORT GRANT.**

(a) From the appropriation under section 20.395 (2) (dq) of the statutes, as affected by this act, the secretary of transportation shall award a grant of \$125,000 in fiscal year 1992-93 to General Mitchell international airport for the purpose of marketing the airport if all of the following conditions are met:

1. General Mitchell international airport submits a plan to the department of transportation detailing the proposed use of the grant, and the secretary of transportation approves the plan.

2. General Mitchell international airport enters into a written agreement with the department of transportation specifying the terms of the grant, including reporting and auditing requirements.

3. General Mitchell international airport agrees to submit to the department of transportation a report,

describing how the grant proceeds were used, within 6 months after the expenditure of all grant proceeds.

(b) The grant under paragraph (a) may be used to provide traditional or innovative marketing services and to fund the furnishing of personal services. Any marketing services funded by this grant shall concentrate on the northern Illinois market, including the Chicago vicinity market, with the intention of increasing the utilization of the airport, encouraging the development of commercial and industrial areas adjacent to the airport and promoting the use of the airport by tourists from other states.

(c) No grant may be made under this subsection after June 30, 1993.

~~(2f) **HIGHWAY RIGHTS OF WAY.** The department of transportation, in consultation with the department of natural resources, shall conduct a study on the likely effects on wildlife nesting, highway safety and highway maintenance costs of limited mowing of highway rights-of-way by state and local highway authorities maintaining such rights-of-way. The department of transportation shall report its findings, conclusions and recommendations by January 1, 1994, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.~~ **Vetoed in Part**

(2j) **LAKE ARTERIAL PROJECT.** From the appropriations under section 20.395 (3) (bq) and (bx) of the statutes, the department of transportation shall allocate sufficient funds in the 1992-93 fiscal year to reimburse the cities of Milwaukee and St. Francis for all costs related to removal, relocation, alteration or other rearrangement required to restore equivalent function as necessary, in-kind if feasible, of any existing utility, including sewer mains, water mains and street lighting, that directly interferes with the construction of the Lake Arterial project authorized under section 84.013 (3) (wg) of the statutes and that are not otherwise reimbursable by the department of transportation.

(3f) **ASSISTANCE FOR FOREST COUNTY.** Within 30 days after the effective date of this subsection, the department of transportation shall pay \$540,500 from the appropriation under section 20.395 (1) (av) of the statutes, as created by this act, to Forest county to provide financial assistance to Forest county in its payment of an arbitration award to transportation cybernetics, inc., Northbrook, Illinois. All moneys paid to Forest county from the appropriation under section 20.395 (1) (av) of the statutes, as created by this act, shall be used by Forest county solely for the purpose of payment of the arbitration award specified in this subsection.

~~(3j) **APPLETON AVENUE IMPROVEMENT PROJECT.** Notwithstanding section 86.32 (4) of the statutes, the city of Milwaukee shall not be required to pay to the department of transportation the construction cost of that portion of reconstruction of Appleton avenue between its intersection with Lisbon avenue north of Clarke street and Burleigh street in Milwaukee county.~~ **Vetoed in Part**

Vetoed in Part on which parking is to be permitted if the highway reconstruction was commenced at any time during the 12 months immediately preceding the effective date of this subsection.

Vetoed in Part (3m) ~~NOISE BARRIERS.~~ In establishing its highway construction program for 1993, the department of transportation shall give priority to the construction of noise barriers on USH 12 in Dane county.

SECTION 9157. Nonstatutory provisions; university of Wisconsin system.

(1) **POSITIONS.** The authorized FTE positions for the board of regents of the university of Wisconsin system, funded from the appropriation under section 20.285 (3) (a) of the statutes, are decreased by 4.5 GPR positions on July 1, 1992, to reflect the termination of certain audit functions.

Vetoed in Part (1p) ~~SMALL BUSINESS HAZARDOUS WASTE EDUCATION.~~ The authorized FTE positions for the board of regents of the university of Wisconsin system are increased by 1.0 SEG position beginning on July 1, 1992, to be funded from the appropriation under section 20.285 (1) (a) of the statutes, as created by this act, to provide information and education to small businesses regarding hazardous waste management.

Vetoed in Part (2g) ~~BUILDING PROJECT PROCEDURE RULES.~~ The board of regents of the university of Wisconsin system shall submit proposed rules required under section 36.11 (25) 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 July 1, 1992.

Vetoed in Part **SECTION 9158. Nonstatutory provisions; veterans affairs.**

(1g) If the department of veterans affairs determines that expenditures to be paid from the veterans trust fund exceed the moneys available in that fund, the department, if the legislature is not in a floor period, may request that the joint committee on finance, under section 13.10 of the statutes transfer from the general fund to the veterans trust fund, an amount necessary to allow full payment of grants, loans and aids and supplements authorized by law to be funded from the veterans trust fund. This subsection does not apply after June 30, 1993.

Vetoed in Part **SECTION 9159. Nonstatutory provisions; vocational, technical and adult education.**

(1x) **DISTRICT AID.** Notwithstanding section 38.28 (2) (b) of the statutes, each vocational, technical and adult education district shall receive in the 1992-93 school year at least the amount of aid under that section of the statutes that it received in the 1991-92 school year.

SECTION 9160. Nonstatutory provisions; other.

(1) **GAMING COMMISSION.**

(a) Notwithstanding section 15.06 (1) (f) of the statutes, as created by this act, the initial members of the gaming commission shall be appointed by the first day

(b) In addition to the amounts lapsed under 1991 Wisconsin Act 39, section 9160 (1xg) (b), the secretary of administration shall not permit encumbrance of the following amounts from the following appropriations to

of the 3rd month beginning after the effective date of this paragraph for the following terms:

- 1. One member, for a term expiring on July 1, 1994.
- 2. One member, for a term expiring on July 1, 1995.
- 3. One member, for a term expiring on July 1, 1996.

(b) Notwithstanding section 15.04 of the statutes, as created by this act, the initial members appointed under paragraph (a) 1 and 2 may be reappointed to the commission on July 1, 1994 and on July 1, 1995, respectively.

(bna) On October 1, 1992, all of the following apply:

1. Six of the following positions in the lottery board and the racing board are abolished, as determined by the gaming commission: the assistant director for security of the lottery board; the assistant director for operations of the lottery board; the assistant director for sales of the lottery board; the assistant director for marketing of the lottery board; the assistant director for communications of the lottery board; one administrative assistant position in the lottery board; one personnel management position in the lottery board; one administrative officer position in the lottery board; one budget and management analyst position in the lottery board; the assistant director of the racing board; one assistant to the director position in the racing board; one administrative officer position in the racing board; one assistant to the administrative officer position in the racing board; and one personnel officer position in the racing board.

2. The positions in the lottery board and the racing board specified in subdivision 1 that are not abolished by the gaming commission are transferred to corresponding positions in the gaming commission.

(c) In addition to the 3 members of the commission and the executive assistant to the chairperson of the commission authorized under this act, to the 4 division administrator positions authorized under this act which are filled by the transfers under SECTION'S 9138 (1c) (bm) and 9147 (1) (bm) of this act, and to the other positions transferred to the commission from the lottery board, the racing board and the department of regulation and licensing under this act, there is authorized for the commission 1.0 FTE SEG position on October 1, 1992, to be funded from the appropriation under section 20.197 (1) (q) of the statutes, as created by this act, for the purpose of providing assistance to the legal staff of the commission.

(1z) **APPROPRIATION DECREASES, LAPSES AND EXPENDITURE REESTIMATES AFFECTING CERTAIN APPROPRIATIONS.**

(a) In this subsection:

- 1. "State agency" has the meaning given in section 20.001 (1) of the statutes.
- 2. "State operations" means all purposes except aids to or for the benefit of local governmental units, individuals and organizations.

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state agencies in the 1991-92 fiscal year, as affected by the acts of 1991, and shall lapse the amounts to the general fund prior to the end of that fiscal year:

<u>State Agency</u>	<u>Appropriation</u>	<u>Amount of Lapse</u>
Board on aging and long-term care	20.432 (1) (a)	\$300
Elections board	20.510 (1) (a)	300
Office of the lieutenant governor	20.540 (1) (a)	400
Personnel commission	20.547 (1) (a)	200

(c) In addition to the report submitted under 1991 Wisconsin Act 39, section 9160 (1xg) (c), each of the following state agencies shall report in writing to the secretary of administration no later than May 1, 1992, unless another date is specified by the secretary, concerning its preference for allocation of appropriation reductions between sum certain appropriations made to the state agency from general purpose revenue for state operations, if any, or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, if any, or a combination of both, in the following additional amounts in the 1991-92 fiscal year:

<u>State Agency</u>	<u>Amount of Reduction or Reestimate</u>
Department of agriculture, trade and consumer protection	\$ 10,500
Department of corrections	39,300
Department of development	5,500
Educational communications board	2,600
Department of employment relations	700
Office of the governor	1,800
Department of health and social services	23,300
Higher educational aids board	300
Department of industry, labor and human relations	2,700
Department of justice	10,400
Legislature	18,000
Department of military affairs	4,000
Department of natural resources	34,900
Public defender board	7,500
Department of public instruction	6,100
Department of revenue	15,100
Supreme court	1,900
Office of the state treasurer	100
Board of regents of the university of Wisconsin system	206,000
Board of vocational, technical and adult education	900
Wisconsin conservation corps board	200

(d) Each of the following state agencies, in its report to the secretary of administration under 1991 Wisconsin Act 39, section 9160 (1xg) (c) for the 1992-93 fiscal year, shall indicate its preference for allocation of the following additional appropriation reductions between sum certain appropriations made to the state agency from general purpose revenue for state operations, if any, or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, if any, or a combination of both, in the following additional amounts in the 1992-93 fiscal year:

<u>State Agency</u>	<u>Amount of Reduction or Reestimate</u>
Department of agriculture, trade and consumer protection	\$ 201,400
Arts board	3,400
Circuit courts	24,000
Department of corrections	1,136,400
Department of development	501,400

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Educational communications board	185,400
Department of employment relations	59,600
Office of the governor	26,300
Department of health and social services	1,304,200
Higher educational aids board	19,400
Historical society	68,000
Department of industry, labor and human relations	161,800
Judicial commission	3,300
Department of justice	265,900
Legislature	360,800
Department of military affairs	113,500
Department of natural resources	977,700
Public defender board	175,500
Department of public instruction	232,400
Department of revenue	500,400
Supreme court	87,000
Office of the state treasurer	3,800
Board of regents of the university of Wisconsin system	4,450,600
Board of vocational, technical and adult education	24,400
Wisconsin conservation corps board	14,500

(e) The supreme court shall file the report required under paragraph (d) for the supreme court and the circuit courts. The joint committee on legislative organization shall file the reports required under paragraphs (c) and (d) for all appropriations under section 20.765 of the statutes made from general purpose revenue for state operations.

(f) In addition to the amounts lapsed or reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (e), the secretary of administration shall, no later than the end of the 1991-92 fiscal year, lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the amounts specified in paragraph (c) for each state agency allocated between such appropriations in the manner determined by the secretary.

(fg) Each of the agencies enumerated in 1991 Wisconsin Act 39, section 9160 (1xg) (c) and in paragraph (d) shall file a copy of its report required under 1991 Wisconsin Act 39, section 9160 (1xg) (c) and paragraph (d) with the cochairpersons of the joint committee on finance. At its 2nd quarterly meeting in 1992 under section 13.10 of the statutes, the committee shall approve, disapprove or modify, consistently with 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection, the allocations indicated in the report of each agency for the 1992-93 fiscal year.

(fr) The cochairpersons of the committee shall report to the secretary of administration the amount of each appropriation reduction or expenditure reestimate approved by the committee under paragraph

(fg). Except in the case of a reduction applied to an appropriation to the board of regents of the university of Wisconsin system, any reduction of a sum certain appropriation made under paragraph (fg) constitutes an appropriation decrease. Any appropriations decreased under this subsection and any expenditures reestimated under this subsection shall be reflected in the composite amended schedule under section 20.004 (2) of the statutes submitted in 1992.

(fw) For each sum certain appropriation made to the board of regents of the university of Wisconsin system from general purpose revenue for state operations that is affected by a reduction reported by the cochairpersons of the committee under paragraph (fr), the secretary of administration shall, no later than the end of the 1992-93 fiscal year, lapse to the general fund from the sum certain appropriations made to the board the amount specified in paragraph (d) allocated between such appropriations in the manner specified in the report of the committee.

(g) In addition to the amounts lapsed or reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (f), the secretary of administration shall, no later than the end of the 1991-92 fiscal year, lapse to the general fund from the sum certain appropriations made to the department of administration from general purpose revenue for state operations or reestimate from the sum sufficient appropriations made to the department of administration from general purpose revenue for state operations, or a combination of both, a total of \$4,200 in the 1991-92 fiscal year, allocated between such appropriations in a manner determined by the secretary.

(gm) The secretary of administration shall report to the cochairpersons of the joint committee on finance, no later than June 1, 1992, concerning his or her pref-

erence for allocation of appropriation reductions between sum certain appropriations made to the department of administration from general purpose revenue for state operations or allocation of expenditure reestimates between sum sufficient appropriations made to the department of administration from general purpose revenue for state operations, or a combination of both, totaling \$350,000 in the 1992-93 fiscal year. The committee shall report to the secretary approved reductions or reestimates in accordance with paragraph (fr). For purposes of section 20.004 (2) of the statutes, the amounts shall be treated as provided in paragraph (fr).

(j) In addition to the amounts reestimated under 1991 Wisconsin Act 39, section 9160 (1xg) (e), the secretary of administration shall reestimate the estimate shown in section 20.005 (3) (figure) of the statutes, as affected by the acts of 1991, to reduce the estimate shown under section 20.660 (1) (a) of the statutes by \$1,000 in fiscal year 1991-92 and by \$37,100 in fiscal year 1992-93.

(k) In its report under 1991 Wisconsin Act 39, section 9160 (1xg) (c) for the 1992-93 fiscal year, the department of development shall not indicate a preference for a reduction in the appropriation under section 20.143 (2) (b) of the statutes greater than \$232,100 in the 1992-93 fiscal year and the joint committee on finance shall not approve any greater reduction in that appropriation in that fiscal year.

(L) The board of regents of the university of Wisconsin system shall not apply any reduction in the appropriation under section 20.285 (1) (fm) of the statutes under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1992-93 fiscal year to reduce funding for laboratories and computers to a greater extent than funding for that purpose was reduced under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1991-92 fiscal year.

(m) The board of regents of the university of Wisconsin system shall not apply any reduction in the appropriation under section 20.285 (1) (a) of the statutes under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1992-93 fiscal year to reduce funding for library acquisitions to a greater extent than funding for that purpose was reduced under 1991 Wisconsin Act 39, section 9160 (1xg) and this subsection for the 1991-92 fiscal year.

(2) RECORDS RETENTION SCHEDULES.

(a) In this subsection:

1. "Board" means the public records and forms board.

2. "Personally identifiable information" has the meaning given in section 19.62 (5) of the statutes.

3. "Records series" has the meaning given in section 16.61 (2) (c) of the statutes.

4. "State agency" has the meaning specified in section 16.61 (2) (d) of the statutes.

(b) For each records series maintained by a state agency that contains personally identifiable informa-

tion and that is subject to a records retention schedule approved by the board under section 16.61 (4) (c) of the statutes on or before the effective date of this paragraph, the state agency maintaining the records series shall submit to the board by June 30, 1993, on a form prescribed by the board, a supplement to the records retention schedule for the records series that contains information necessary for the board to create the registry under section 16.61 (3) (u) of the statutes, as affected by this act.

~~(3j) ACQUISITION OF PROPERTY BY A PUBLIC UTILITY. Notwithstanding section 32.06 (9) (c) 3 of the statutes, as created by 1991 Wisconsin Act 39, if a municipally owned public utility acquires property consisting of less than 15 acres before January 1, 1994, the public utility may require the persons who occupy the premises on the date that title vests in the public utility to vacate without making a comparable replacement property available.~~

(3x) APPOINTMENT OF MUNICIPAL JUDGE. Notwithstanding section 17.245 of the statutes, if a municipality adopts an ordinance or bylaw creating a municipal court under section 755.01 of the statutes before December 1, 1992, the office of municipal judge for that court shall be considered vacant and a temporary appointment may be made by the municipal governing body pending the election of the incumbent for the first term. The person appointed to fill the vacancy may not be a candidate in the election of the municipal judge for the first term.

~~(4p) INMATE DEATH INVESTIGATIONS. Notwithstanding section 15.72 of the statutes, as created by this act, the terms of the initial members of the inmate death investigation board expire as follows:~~

~~(a) The 3 members who were appointed under section 15.72 (2), (4) and (6) of the statutes, as created by this act, on May 1, 1993.~~

~~(b) The 4 members who were appointed under section 15.72 (1), (3), (5) and (7) of the statutes, as created by this act, on May 1, 1995.~~

SECTION 9201. **Appropriation changes; administration.**

(2) COMPUTER PURCHASES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$30,000 for fiscal year 1991-92 to reduce funding for computer purchases.

(3) MUNICIPAL BOUNDARY ADJUSTMENT REVIEW. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$23,300 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 0.45 GPR position to increase funding for general program operations for municipal boundary

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adjustment review functions performed by the department.

(4) TAX APPEALS COMMISSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$2,000 for fiscal year 1991-92 and the dollar amount is decreased by \$2,000 for fiscal year 1992-93 to reduce funding for general program operations of the tax appeals commission.

(5) SENTENCING COMMISSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$5,200 for fiscal year 1991-92 and the dollar amount is decreased by \$5,200 for fiscal year 1992-93.

(6) WASTE FACILITY SITING BOARD. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$6,000 for fiscal year 1992-93.

(7) PRIVACY COUNCIL. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (4) (fz) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,700 for fiscal year 1991-92 and the dollar amount is decreased by \$50,700 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 2.0 GPR positions.

(8) FACILITIES MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (5) (ka) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$249,000 for fiscal year 1992-93 to finance the costs of operation of the state office building located at 3319 West Beltline highway in Dane county.

(9) HOUSING GRANTS AND LOANS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$600,000 for fiscal year 1992-93.

(10) TRANSITIONAL HOUSING GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$87,500 for fiscal year 1991-92 and the dollar amount is increased by \$25,000 for fiscal year 1992-93.

(11) MOBILE HOME PARKS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (7) (jf) of the statutes, as affected by the acts of

1991, the dollar amount is increased by \$75,000 for fiscal year 1992-93 to provide initial funding for licensing and regulation of mobile home parks.

(12) RISK MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.505 (2) (ki) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$208,800 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 5.0 PR positions.

SECTION 9202. Appropriation changes; adolescent pregnancy prevention and pregnancy services board.

(1) ADOLESCENT PREGNANCY PREVENTION SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the adolescent pregnancy prevention and pregnancy services board under section 20.434 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$132,000 for fiscal year 1992-93 to reduce to 2 the number of grants awarded under section 46.935 (5) (g) of the statutes, as affected by this act.

SECTION 9203. Appropriation changes; aging and long-term care board.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board on aging and long-term care under section 20.432 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$7,000 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9204. Appropriation changes; agriculture, trade and consumer protection.

(1) ANIMAL HEALTH SERVICES; LYME DISEASE RESEARCH. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (2) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,000 for fiscal year 1992-93.

~~(2) MARKETING SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$21,300 for fiscal year 1991-92 and the dollar amount is decreased by \$60,700 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR international marketing position.~~

(3) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$148,800 for fiscal year 1992-93.

(4) LABORATORY ANALYSIS. In the schedule under section 20.005 (3) of the statutes for the appropriation

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to the department of agriculture, trade and consumer protection under section 20.115 (7) (u) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$148,800 for fiscal year 1992-93 for laboratory analysis relating to pesticides.

(5q) GYPSY MOTH ERADICATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$235,300 for fiscal year 1992-93 to reduce funding for the eradication of gypsy moths and to decrease the authorized FTE positions for the department by 1.0 GPR project position and 1.0 GPR position for the performance of gypsy moth eradication services.

Vetoed
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~~(6g) FOOD SAFETY AND CONSUMER PROTECTION; GENERAL PROGRAM OPERATIONS.~~

~~(a) There is transferred from the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (1) (a) of the statutes, as affected by the acts of 1991, to the appropriation to the department of justice under section 20.455 (1) (a) of the statutes, as affected by the acts of 1991, \$589,800 in fiscal year 1992-93.~~

~~(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of agriculture, trade and consumer protection under section 20.115 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$222,300 for fiscal year 1992-93.~~

SECTION 9206. Appropriation changes; banking.

(1) PROGRAM REVENUE LAPSE. Notwithstanding section 20.001 (3) (a) of the statutes, \$359,700 shall lapse to the general fund from the appropriation under section 20.124 (1) (g) of the statutes on June 30, 1992.

SECTION 9211. Appropriation changes; conservation corps board.

(1) CORPS ENROLLEE SUPPORT; GENERAL PROGRAM OPERATIONS.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$3,007,400 for fiscal year 1992-93.

(am) In the schedule under section 20.005 (3) of the statutes for the appropriation to the conservation corps board under section 20.399 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$150,000 for fiscal year 1992-93 for additional crews as provided under SECTION 9111 (2w) of this act.

Vetoed
in Part

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$150,000 for fiscal year 1992-93 for compensation for corps enrollees.

(2) ADMINISTRATION FUNDING.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,000 for fiscal year 1992-93.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the Wisconsin conservation corps board under section 20.399 (2) (q) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,000 for fiscal year 1992-93.

SECTION 9212. Appropriation changes; corrections.

(1) PRISONER MEDICAL COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$472,000 for fiscal year 1991-92 and the dollar amount is increased by \$121,300 for fiscal year 1992-93 for increased medical costs of prisoners at the state correctional institutions.

(2w) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$93,000 for fiscal year 1991-92 and the dollar amount is decreased by \$281,200 for fiscal year 1992-93 to decrease, effective July 1, 1992, the authorized FTE positions for the department by 1.0 GPR position and to reduce funding for the operation of institutions and provision of field services and administrative services.

(3) OVERTIME. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$205,100 for fiscal year 1992-93 to reduce the funding for overtime compensation.

(4g) PRISON EXPANSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$449,000 for fiscal year 1991-92 and the dollar amount is decreased by \$1,156,600 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 3.2 GPR positions in fiscal year 1991-92 and an additional 53.65 GPR positions in fiscal year 1992-93, to implement the prison expansion program and to reflect revised starting dates for various projects, units and programs.

(6) PRISONER POPULATION ESTIMATES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$129,200 for fiscal year 1991-92 and the dollar amount is decreased by \$118,700 for fiscal year 1992-93 to

reflect revised population estimates for prisoners at the state correctional institutions.

(7) INSTITUTIONS AND SERVICES, LIMITED TERM EMPLOYEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$173,100 for fiscal year 1992-93 to reduce funding for limited term employees.

(9) CENTRAL OFFICE STAFF. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$33,900 for fiscal year 1991-92 and the dollar amount is decreased by \$63,200 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR position for central office staff.

(10) PHYSICIANS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$20,000 for fiscal year 1991-92 and the dollar amount is increased by \$5,500 for fiscal year 1992-93 to increase, effective July 1, 1992, the authorized FTE positions for the department by 1.5 GPR positions for physician services and to decrease the funding for contracts for physician services.

(10g) PRISONER COSTS, MOTHER-YOUNG CHILD CARE PROGRAM. There is transferred from the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, to the appropriation to the department of corrections under section 20.410 (1) (cw) of the statutes, as affected by the acts of 1991, \$7,800 in fiscal year 1992-93 for costs of prisoners in the mother-young child care program.

Vetoed
in Part

~~(10ht) INMATE DEATH INVESTIGATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$5,000 for fiscal year 1991-92 and the dollar amount is decreased by \$10,000 for fiscal year 1992-93 to reduce the moneys available for the department to operate institutions and provide field and administrative services.~~

(11) INSTITUTIONAL REPAIR AND MAINTENANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (aa) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$33,000 for fiscal year 1991-92 and the dollar amount is increased by \$40,000 for fiscal year 1992-93.

(12) INTENSIVE SANCTIONS, PROBATION AND PAROLE SERVICES, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to

the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$351,300 for fiscal year 1991-92 and the dollar amount is decreased by \$351,300 for fiscal year 1992-93 to reflect a change in funding source for probation and parole services.

(13w) INTENSIVE SANCTIONS, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$34,200 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 GPR position and to reflect a change in the funding source for the operation of the state correctional institutions.

(14) INTENSIVE SANCTIONS, DELAYED IMPLEMENTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$503,200 for fiscal year 1991-92 to reflect a delay in the implementation of the intensive sanctions program.

(14m) PROBATION AND PAROLE AGENTS, INTENSIVE SANCTIONS, FUNDING SOURCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$141,600 for fiscal year 1991-92 to reflect that 10.0 intensive supervision probation and parole agent positions received 4 additional months of federal funding.

(15) INTENSIVE SANCTIONS, LIMITED TERM EMPLOYEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (ai) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$16,900 for fiscal year 1992-93 to reduce funding for limited term employees.

(16) PROBATION AND PAROLE SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$351,300 for fiscal year 1991-92 and the dollar amount is increased by \$351,300 for fiscal year 1992-93.

(17) PROBATIONER AND PAROLEE POPULATION ESTIMATES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$700,600 for fiscal year 1992-93 to reflect revised population estimates for probationers and parolees.

(18g) PROBATION AND PAROLE HOLDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by

\$1,330,700 for fiscal year 1991-92 and the dollar amount is decreased by \$144,700 for fiscal year 1992-93 to reflect a revised payment schedule for probation and parole holds.

(19) PROBATION AND PAROLE, LIMITED TERM EMPLOYEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$3,000 for fiscal year 1992-93 to reduce funding for limited term employees.

(20) MOTHER-YOUNG CHILD CARE PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (cw) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$24,500 for fiscal year 1992-93.

(21v) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$366,700 for fiscal year 1992-93 to make payments pursuant to contracts for vocational, technical and adult education services for prisoners at the state correctional institutions.

(22) PURCHASED SERVICES FOR OFFENDERS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$147,000 for fiscal year 1992-93 to reflect a change in the funding source for purchased services for offenders.

(24) UTILITIES, FUEL, HEATING AND COOLING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (f) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$60,000 for fiscal year 1991-92 and the dollar amount is increased by \$60,000 for fiscal year 1992-93.

(25f) CORRECTIONAL FARMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of corrections under section 20.410 (1) (kf) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$920,700 for fiscal year 1991-92 and the dollar amount is decreased by \$549,400 for fiscal year 1992-93 to decrease funding for the operation of correctional farms and the purchase of institutional farmland.

SECTION 9215. Appropriation changes; development.

(1) CAPITAL ACCESS PROGRAM GRANT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (cm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$200,000 for fiscal year 1991-92.

(2) WISCONSIN DEVELOPMENT FUND REPAYMENTS. Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1992, there shall lapse to the general fund \$311,500 from the appropriation to the department of development under section 20.143 (1) (ie) of the statutes, as affected by the acts of 1991. **Vetoed in Part**

(3) ECONOMIC DEVELOPMENT PROMOTION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$47,000 for fiscal year 1992-93.

(4) FORWARD WISCONSIN, INC. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$100,000 for fiscal year 1992-93.

(6) ECONOMIC AND COMMUNITY DEVELOPMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$23,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the department of development by 0.45 GPR position because of the transfer of municipal boundary adjustment review functions from the department of development to the department of administration as specified in 1991 Wisconsin Act 39.

~~(7m) GENERAL PROGRAM OPERATIONS.~~

~~(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$217,200 for fiscal year 1992-93 to decrease funding for the purpose of this appropriation.~~

~~(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$48,600 for fiscal year 1992-93 to decrease funds for the purpose of this appropriation.~~

(8) WISCONSIN INFORMATION CENTERS RENT PAYMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$6,100 for fiscal year 1991-92 and the dollar amount is decreased by \$6,100 for fiscal year 1992-93 to reduce the amount of rent paid to the department of transportation for use of the Wisconsin information centers.

~~(10m) TOURISM GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is~~ **Vetoed in Part**

Vetoed in Part decreased by \$69,200 for fiscal year 1992-93 to decrease funding for the purpose of this appropriation.

(12) HERITAGE TOURISM PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$40,000 for fiscal year 1992-93 to reduce the amount of the grant to each local heritage tourism program under 1991 Wisconsin Act 39, section 9115 (5c) (b).

Vetoed in Part

(13) WISCONSIN DEVELOPMENT FUND; 1991-92. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,250,000 for fiscal year 1991-92.

Vetoed in Part (14) GRANTS TO AREA PROMOTION COMMITTEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (2) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$250,000 for fiscal year 1992-93 to provide the grants under SECTION 9115 (1) of this act.

(14g) AMERICAN INDIAN ECONOMIC DEVELOPMENT TECHNICAL ASSISTANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of development under section 20.143 (1) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,000 for fiscal year 1992-93 to fund American Indian economic development technical assistance grants under section 560.875 (1) of the statutes, as affected by this act.

SECTION 9216. Appropriation changes; district attorneys.

(1) ASSISTANT DISTRICT ATTORNEY, RACINE COUNTY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$40,500 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fully fund a previously authorized assistant district attorney position for Racine county.

(1p) DANE COUNTY ASSISTANT DISTRICT ATTORNEY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$42,700 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to reflect the savings associated with the transfer of funding source for an experienced assistant district attorney from general purpose revenue to program revenue.

(2g) ASSISTANT DISTRICT ATTORNEYS; MILWAUKEE COUNTY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the stat-

utes, as affected by the acts of 1991, the dollar amount is increased by \$36,400 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to fund an increase in the authorized FTE assistant district attorney positions by 4.0 GPR positions for Milwaukee county.

Vetoed in Part
Vetoed in Part

(2x) ASSISTANT DISTRICT ATTORNEY, MARATHON COUNTY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of administration under section 20.475 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$18,600 for fiscal year 1992-93, and the net appropriation total is adjusted accordingly, to increase the authorized FTE positions for the department of administration by 0.5 GPR position for an assistant district attorney for Marathon county.

Vetoed in Part

SECTION 9217. Appropriation changes; educational communications board.

(1) GENERAL PROGRAM OPERATIONS.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,400 for fiscal year 1991-92.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$142,700 for fiscal year 1992-93 to reduce funding for general program operations.

(bg) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$103,200 for fiscal year 1992-93 to provide additional funding for general program operations.

Vetoed in Part

(bm) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$43,200 for fiscal year 1992-93 to increase the authorized FTE positions for the educational communications board by 1.0 GPR position for the performance of duties of the telecommunication operations center.

(c) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$75,000 for fiscal year 1991-92 to provide funding for a distance education project using fiber optics technology for a consortium of 7 school districts that have been operating a fiber optics project in the 1991-92 school year and that includes at least one school district in which Native American students constitute at least 50% of the students.

(2) UTILITIES, FUEL, HEATING AND COOLING.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$10,400 for fiscal year 1991-92.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$10,400 for fiscal year 1992-93.

(4) PROGRAMMING.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (f) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$40,000 for fiscal year 1991-92.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (f) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,901,500 for fiscal year 1992-93 to fund programming of the educational communications board.

Vetoed in Part ~~(4m) INSTRUCTIONAL TELEVISION PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the educational communications board under section 20.225 (1) (h) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$140,200 for fiscal year 1992-93 to decrease the authorized FTE positions for the educational communications board by 1.0 PR position and to decrease funding for the production of instructional television programs.~~

SECTION 9218. Appropriation changes; elections board.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the elections board under section 20.510 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$600 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9219. Appropriation changes; employe trust funds.

(1) HEALTH INSURANCE INFORMATION SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employe trust funds under section 20.515 (1) (w) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$24,100 for fiscal year 1991-92 and the dollar amount is increased by \$83,600 for fiscal year 1992-93 to fund 1.0 FTE SEG project position and 1.0 FTE SEG position authorized under SECTION 9119 (1p) of this act.

SECTION 9220. Appropriation changes; employment relations commission.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the employment relations commission under section 20.425 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$24,200 for fiscal year 1991-92 and the dollar amount is decreased by \$61,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the commission by 1.5 GPR positions and to decrease administrative support.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the employment relations commission under section 20.425 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$33,800 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9221. Appropriation changes; employment relations department.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$12,000 for fiscal year 1991-92 and the dollar amount is decreased by \$12,000 for fiscal year 1992-93 to reflect a change in the funding source for certain costs related to publications.

(2) PUBLICATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of employment relations under section 20.512 (1) (ka) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$12,000 for fiscal year 1991-92 and the dollar amount is increased by \$12,000 for fiscal year 1992-93.

SECTION 9222. Appropriation changes; ethics board.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the ethics board under section 20.521 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,700 for fiscal year 1991-92 and the dollar amount is increased by \$1,800 for fiscal year 1992-93.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the ethics board under section 20.521 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$3,000 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9225. Appropriation changes; health and social services.

(1g) ALCOHOL AND OTHER DRUG ABUSE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (6) (hx) of the statutes, as affected by the acts of 1991, the dollar amount

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is increased by \$1,614,700 for fiscal year 1992-93 to fund alcohol and other drug abuse programs in the community aids program under section 46.40 of the statutes.

(2) AID TO FAMILIES WITH DEPENDENT CHILDREN; CHILD CARE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (cn) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$3,774,700 for fiscal year 1992-93.

(3) INCOME MAINTENANCE ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (de) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$25,833,400 for fiscal year 1992-93.

**Vetoed
in Part** (3p) MANAGEMENT STABILIZATION GRANT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$200,000 for fiscal year 1992-93 to provide a grant to the Opportunities Industrialization Center of Greater Milwaukee for the management and operation of the job training services that that agency provides to recipients of aid to families with dependent children.

(4) ACQUIRED IMMUNODEFICIENCY SYNDROME SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (am) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,182,200 for fiscal year 1992-93.

(6) DISEASE AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$3,452,000 for fiscal year 1991-92.

(7) MEDICAL ASSISTANCE PROGRAM BENEFITS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$39,856,200 for fiscal year 1991-92 and the dollar amount is increased by \$49,223,000 for fiscal year 1992-93 to increase funding for the state share of medical assistance program benefits to reflect changes in medical assistance base costs, reimbursement methods and levels for providers of medical assistance goods and services, departmental auditing of the medical assistance program and implementation dates for care coordination and for certain provider rate changes.

(8) GENERAL ADMINISTRATION PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of

health and social services under section 20.435 (8) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$231,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.0 GPR positions on June 30, 1992, for administrative efficiency and to account for funds unused due to the vacating of employe positions for which replacements are not immediately hired.

(9) HOSPICE REGULATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (gm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$46,500 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 PR position on July 1, 1992, for the regulation of hospices.

(10) MEDICAL ASSISTANCE ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$8,760,500 for fiscal year 1991-92 and the dollar amount is decreased by \$362,200 for fiscal year 1992-93 to establish a base level of funding for the state share of administrative contract costs for the medical assistance program in fiscal year 1991-92 and to reduce funding for the contract costs in fiscal year 1992-93.

(11) MENTAL HEALTH SERVICES TO HOMELESS INDIVIDUALS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (ce) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,000 for fiscal year 1992-93 to reduce funds for providing certain mental health services under section 46.972 (3) (b) of the statutes, in response to a reduction in federal funds under 42 USC 290cc-23.

(11g) HOMELESS INDIVIDUALS; MENTAL HEALTH SERVICES. Notwithstanding section 20.001 (3) (c) of the statutes, from the unencumbered balance in the appropriation under section 20.435 (7) (ce) of the statutes, \$200,000 in fiscal year 1992-93 shall be lapsed to the general fund on July 1, 1992.

(12) DAY CARE PROGRAMS FOR STUDENT PARENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (eg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$79,200 for fiscal year 1992-93 to reflect the elimination of funding for that department to contract with school boards for the provision of day care programs, as defined in section 46.99 (1) (a), 1989 stats., for student parents, as defined in section 46.99 (1) (d), 1989 stats.

(14) HEALTH PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is

increased by \$15,806,500 for fiscal year 1992-93 to establish the base level health general program operations funding and to decrease the authorized FTE positions for the department by 8.68 GPR positions for the purpose of reducing support for the health functions of the department.

(15) ECONOMIC SUPPORT OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$17,635,300 for fiscal year 1992-93 to establish the base level economic support operations funding and to decrease the authorized FTE positions for the department by 1.57 GPR positions for the purpose of reducing support for the economic support functions of the department.

Vetoed
in Part

~~(16) WELFARE REFORM STUDIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (br) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$95,000 for fiscal year 1992-93.~~

(17) EMPLOYMENT AND TRAINING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (df) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$18,255,200 for fiscal year 1992-93.

(18) GENERAL RELIEF AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$25,676,400 for fiscal year 1991-92 and the dollar amount is increased by \$25,676,400 for fiscal year 1992-93 to reflect a change in the reimbursement date.

(18xo) STATE AID FOR GENERAL RELIEF. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (4) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,032,100 for fiscal year 1992-93 to increase state aid for reimbursement of general relief medical costs.

(19) VOCATIONAL REHABILITATION GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (5) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$23,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR position.

(20) PURCHASED SERVICES FOR VOCATIONAL REHABILITATION CLIENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (5) (bm) of the statutes, as affected by the acts

of 1991, the dollar amount is increased by \$6,400,600 for fiscal year 1992-93.

(21) COMMUNITY SERVICES GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (6) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$107,900 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 2.0 GPR positions and to increase the estimated turnover savings from 3% to 4%.

(22) COMMUNITY AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$1,486,000 for fiscal year 1991-92 and the dollar amount is increased by ~~\$286,500,000~~ ^{\$285,893,800} for fiscal year 1992-93.

Vetoed
in Part

(23) GRANTS FOR COMMUNITY PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (bc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,239,600 for fiscal year 1992-93.

(23j) COMMUNITY YOUTH AND FAMILY AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (3) (cd) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$75,923,200 for fiscal year 1992-93 to reflect the removal of community youth and family aids from community aids.

(23k) YOUTH AIDS REMOVAL. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$75,923,200 for fiscal year 1992-93 to reflect the removal of community youth and family aids from community aids.

(23p) EARLY INTERVENTION FOR HIGH-RISK YOUTHS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (3) (ej) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$250,000 for fiscal year 1991-92 and the dollar amount is decreased by \$250,000 for fiscal year 1992-93 to eliminate funding for fiscal years 1991-92 and 1992-93 for the early intervention program for high-risk youths under section 46.264 of the statutes, as affected by this act.

~~(23q) FOSTER CARE SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (bc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$240,000 for fiscal year 1992-93 to provide foster care payments for children who~~

Vetoed
in Part

Vetoed
in Part

are living in foster care because they were born with medical problems or disabilities that were caused by their mothers' ingestion of controlled substances while pregnant.

(24) COMMUNITY OPTIONS AND LONG-TERM SUPPORT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (bd) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$54,069,000 for fiscal year 1992-93.

(25) EARLY INTERVENTION SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (bt) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$226,400 for fiscal year 1992-93 to implement federal requirements for state participation under 20 USC 1475 (c) for the program under section 51.44 of the statutes, as affected by this act.

(26) DOMESTIC ABUSE GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (cb) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,776,300 for fiscal year 1992-93.

Vetoed
in Part

(27) STATE FOSTER CARE AND ADOPTION SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$6,181,900 for fiscal year 1992-93.

Vetoed
in Part

(27g) CAPACITY BUILDING FOR TREATMENT PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (cp) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$183,700 for fiscal year 1992-93 to fund capacity building for treatment programs under section 46.86 of the statutes.

Vetoed
in Part

(27j) INDEPENDENT LIVING CENTER. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$110,000 for fiscal year 1992-93 to fund a grant under section 46.96 of the statutes to establish an independent living center in a western part of this state that is not currently served by an independent living center.

(29g) BENEFIT SPECIALIST SERVICES; GENERAL. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (dj) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$82,600 for fiscal year 1992-93 to provide benefit specialist services under section 46.81 (2) of the statutes, as affected by this act, in all counties on a full-time basis, beginning January 1, 1993.

(29h) BENEFIT SPECIALIST SERVICES; CERTAIN COUNTIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (dj) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$11,100 for fiscal year 1992-93 so that each aging unit which in fiscal year 1991-92 received funds under section 46.81 (2) of the statutes sufficient to provide at least 38 hours per week of benefit specialist services receives, beginning January 1, 1993, a 10% increase over the amount that it received under section 46.81 (2) of the statutes in fiscal year 1991-92.

(29p) ENVIRONMENTAL HEALTH REGULATORY PROGRAM REVENUE. Notwithstanding section 20.001 (3) (a) of the statutes, \$2,500,000 shall lapse to the general fund from the unencumbered balance in the appropriation under section 20.435 (1) (gm) of the statutes on June 30, 1992.

(29q) RUNAWAY SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (7) (ew) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$100,000 for fiscal year 1992-93 to provide crisis intervention and follow-up services to runaway and homeless children and adolescents and their families.

Vetoed
in Part

(30g) BREAST CANCER SCREENING AND SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (cc) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$310,000 for fiscal year 1991-92 and the dollar amount is decreased by \$422,600 for fiscal year 1992-93 to reflect the elimination of funding for breast cancer screening and services under this appropriation.

(30h) POSITION AUTHORIZATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (ra) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$5,400 for fiscal year 1991-92 and the dollar amount is increased by \$21,400 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 0.5 GPR position on April 1, 1992, to administer the breast cancer screening program under section 46.0275 of the statutes, as affected by this act.

Vetoed
in Part

(31d) COUNCIL ON AMERICAN INDIAN HEALTH. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$15,000 for fiscal year 1992-93 to fund expenses of the council on American Indian health.

Vetoed
in Part

(31e) AMERICAN INDIAN HEALTH; POSITION AUTHORIZATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and social services under section 20.435 (1) (a)

**Vetoed
in Part**

~~of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$46,500 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 GPR position, to provide staff support to the council on American Indian health and to provide coordination for policies and programs in the ambit of the department that deals with health issues, as those policies and programs affect issues related to American Indian health.~~

SECTION 9226. Appropriation changes; higher educational aids board.

(1) **TUITION GRANTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$150,500 for fiscal year 1992-93.

(2) **INDIAN STUDENT ASSISTANCE GRANTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$7,000 for fiscal year 1992-93.

(3) **WISCONSIN HIGHER EDUCATION GRANTS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fe) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$318,000 for fiscal year 1992-93.

(4) **MINORITY UNDERGRADUATE GRANTS; PRIVATE.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$4,600 for fiscal year 1992-93.

(5) **MINORITY UNDERGRADUATE GRANTS; VOCATIONAL.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fh) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$2,300 for fiscal year 1992-93.

(6) **ACADEMIC EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (fy) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$140,000 for fiscal year 1992-93.

(7) **DENTAL EDUCATION CONTRACT.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the higher educational aids board under section 20.235 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$165,000 for fiscal year 1992-93.

SECTION 9227. Appropriation changes; historical society.

(1) **ARCHIVES AND RESEARCH SERVICES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section

20.245 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,141,000 for fiscal year 1992-93.

(2) **GENERAL PROGRAM OPERATIONS; HISTORIC SITES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$20,500 for fiscal year 1992-93 to decrease the authorized FTE positions for the historical society by 0.5 GPR position.

(2g) **FIRST CAPITOL.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$16,000 for fiscal year 1992-93 to increase the authorized FTE positions for the historical society by 0.5 GPR position for the performance of duties relating to the transfer and operation of First Capitol.

~~(2w) **SUBMERGED CULTURAL RESOURCES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$69,300 for fiscal year 1992-93 to fund the duties of the historical society under section 44.47 (5m) of the statutes, as created by this act, and to increase the authorized FTE positions for the historical society by 1.0 GPR position on July 1, 1992, for the purpose of performing such duties.~~

**Vetoed
in Part**

(3) **OLD WADE HOUSE.**

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (bg) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$19,300 for fiscal year 1992-93 to decrease the authorized FTE positions for the historical society by 0.75 GPR position.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (2) (bg) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$40,000 for fiscal year 1992-93 to increase the authorized FTE positions for the historical society by 1.0 GPR position to care for the collection at Old Wade House.

(4e) **ADMINISTRATIVE SERVICES.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$44,300 for fiscal year 1992-93 to reduce funding for administrative services.

(4f) **FUND-RAISING POSITION.** In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$31,300 for fiscal year 1992-93

to fund 1.0 GPR project position authorized under SECTION 9127 (2g) of this act.

Vetoed
in Part

~~(4g) SCHOOL PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the historical society under section 20.245 (5) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$25,000 for fiscal year 1991-92 and the dollar amount is increased by \$25,000 for fiscal year 1992-93 to fund, at an outdoor museum in northwestern Wisconsin, the presentation of school programs relating to the interaction of Chippewa and European cultures in the St. Croix river area during the fur trading period.~~

SECTION 9229. Appropriation changes; industry, labor and human relations.

(3) WISCONSIN JOB OPPORTUNITY BUSINESS SUBSIDY PROGRAM. On June 30, 1993, there is lapsed to the general fund \$135,200 from the appropriation to the department of industry, labor and human relations under section 20.445 (1) (e) of the statutes, as affected by the acts of 1991.

(3f) SAFETY AND BUILDING OPERATIONS. Notwithstanding section 20.001 (3) (a) of the statutes, there is lapsed \$1,771,800 from the unencumbered balance in the appropriation account under section 20.445 (1) (j) of the statutes to the general fund on June 30, 1993.

(3x) PETROLEUM REMEDIAL ACTION AWARDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of industry, labor and human relations under section 20.445 (1) (v) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$18,833,900 for fiscal year 1992-93 to increase funding for petroleum storage tank remedial action awards.

(3y) PETROLEUM REMEDIAL ACTION ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of industry, labor and human relations under section 20.445 (1) (w) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$189,700 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 4.0 SEG positions for administration of the petroleum storage remedial action program and related costs.

SECTION 9231. Appropriation changes; investment board.

(1g) GROWTH STOCK DIVISION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the investment board under section 20.536 (1) (k) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$88,900 for fiscal year 1991-92 and the dollar amount is increased by \$411,800 for fiscal year 1992-93 to provide increased funding for a growth stock division.

SECTION 9232. Appropriation changes; joint committee on finance.

(1) GENERAL PURPOSE REVENUE PROGRAM SUPPLEMENTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint com-

mittee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$658,400 for fiscal year 1991-92 and the dollar amount is decreased by \$1,832,300 for fiscal year 1992-93.

(1z) SPEARFISHING LAW ENFORCEMENT COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$74,900 for fiscal year 1991-92 and the dollar amount is decreased by \$200,000 for fiscal year 1992-93 to reduce the funding available for reimbursement for state and local law enforcement costs associated with spearfishing.

(2m) LOTTERY CREDIT ADMINISTRATIVE COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$500,000 for fiscal year 1992-93 to reduce funding available for costs associated with administering the lottery property tax credit.

SECTION 9234. Appropriation changes; judicial council.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the judicial council under section 20.645 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$2,700 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9235. Appropriation changes; justice.

(1) DRUG ENFORCEMENT OFFICERS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (bd) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$306,700 for fiscal year 1992-93.

(2p) GAMING LAW ENFORCEMENT.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$44,600 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 1.0 GPR position for the performance of racing law enforcement.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$99,000 for fiscal year 1992-93 to reflect the savings associated with the transfer of funding source for experienced agents from general purpose revenue to program revenue.

(3) LAW ENFORCEMENT SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department

of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$9,835,700 for fiscal year 1992-93.

(4) LEGAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$59,200 for fiscal year 1992-93 to eliminate funding for attorney regrades.

(5) TRANSACTION INFORMATION FOR MANAGEMENT OF ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$19,000 for fiscal year 1991-92 and the dollar amount is increased by \$67,000 for fiscal year 1992-93 for disaster recovery costs for the department's transaction information for management of enforcement system.

(5h) MILWAUKEE CRIME LABORATORY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$41,500 for fiscal year 1992-93 to increase the authorized FTE positions for the state crime laboratory located in the city of Milwaukee by 1.0 GPR position.

(6) TRUST LANDS AND INVESTMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (4) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$25,100 for fiscal year 1991-92 and the dollar amount is increased by \$25,100 for fiscal year 1992-93.

Vetoed
in Part

~~(6d) LEGAL SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$132,800 for fiscal year 1992-93.~~

~~(6e) ADMINISTRATIVE SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of justice under section 20.455 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$19,400 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 0.5 GPR position for the performance of personnel functions.~~

SECTION 9237. Appropriation changes; lieutenant governor.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the office of the lieutenant governor under section 20.540 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$6,600 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9238. Appropriation changes; lottery board.

~~(1g) TRANSITIONAL FUNDING FOR GAMING COMMISSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the lottery board under section 20.195 (1) (q) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$223,500 for fiscal year 1992-93 to reflect the transfer of moneys to provide transitional funding for the gaming commission.~~

Vetoed
in Part

(1m) TRANSFER TO GAMING COMMISSION. On October 1, 1992, the unencumbered balances in the appropriations under section 20.195 (1) (q), (r), (s) and (v) of the statutes are transferred to the appropriations under section 20.197 (1) (q) and (2) (r), (s) and (v) of the statutes, respectively.

SECTION 9239. Appropriation changes; lower Wisconsin state riverway board.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the lower Wisconsin state riverway board under section 20.360 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$3,100 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9240. Appropriation changes; medical college of Wisconsin.

(1) FAMILY PRACTICE RESIDENCY PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the medical college of Wisconsin, inc., under section 20.250 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$85,000 for fiscal year 1992-93.

(2) TRAINING OF HEALTH MANPOWER. In the schedule under section 20.005 (3) of the statutes for the appropriation to the medical college of Wisconsin, inc., under section 20.250 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,056,600 for fiscal year 1992-93.

SECTION 9241. Appropriation changes; military affairs.

(2m) EMERGENCY CLEANUP FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of military affairs under section 20.465 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$75,000 for fiscal year 1991-92 to remove the moneys provided for emergency cleanup costs associated with a May 28, 1991, windstorm.

SECTION 9242. Appropriation changes; natural resources.

(1) WATER RESOURCES MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,556,800 for fiscal year 1992-93 for water resources management.

(2) WASTEWATER MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,368,500 for fiscal year 1992-93 for wastewater management.

(3) SOLID WASTE MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,575,500 for fiscal year 1992-93 for solid waste management.

(4) WATER SUPPLY MANAGEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,614,000 for fiscal year 1992-93 for water supply management.

(5) TECHNICAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$762,600 for fiscal year 1992-93 for technical services related to environmental standards.

Vetoed
in Part

~~(5w) SUBMERGED CULTURAL RESOURCES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$85,500 for fiscal year 1992-93 to fund the duties of the department under section 44.47 (5m) of the statutes, as created by this act, and to increase the authorized FTE positions for the department by 1.0 GPR position on July 1, 1992, for the purpose of performing such duties.~~

(6) RESOURCE MANAGEMENT; GENERAL PROGRAM OPERATIONS; POSITION AUTHORIZATIONS.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,860,400 for fiscal year 1992-93.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$294,600 for fiscal year 1992-93.

(c) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$188,400 for fiscal year 1992-93 to decrease the authorized FTE positions for the

department by 4.33 SEG positions for wildlife management.

(d) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$188,600 for fiscal year 1992-93 to decrease the authorized FTE positions for the department by 4.33 SEG positions for fisheries management.

(e) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$324,800 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 7.66 SEG positions for property management.

(f) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$52,200 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 SEG position for aeronautics and communications.

(7t) GRANTS FOR SMALL POINT SOURCE PROJECTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (ca) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,000 for fiscal year 1992-93 to reduce funding for grants to small point source projects.

(8) GREAT LAKES REMEDIAL ACTION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (af) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$1,419,500 for fiscal year 1992-93.

(8j) NONPOINT SOURCE PROGRAM LAPSE. On the effective date of this subsection, there is lapsed to the general fund \$15,800,900 from the appropriation to the department of natural resources under section 20.370 (4) (cc) of the statutes, as affected by the acts of 1991.

~~(9g) CHIPPEWA INTERPRETIVE CENTER.
(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (ea) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$70,200 for fiscal year 1992-93 to operate the Chippewa moraine national scientific reserve interpretive center.~~

~~(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (ea) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$45,500 for fiscal year 1992-93 to increase the authorized FTE positions for the~~

Vetoed
in Part

**Vetoed
in Part**

~~Department by 1.75 GPR positions for the operation of the Chippewa moraine national scientific reserve interpretive center.~~

(9j) DUMP CLOSURE COST SHARE GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (db) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$500,000 for fiscal year 1991-92 to reduce funding for dump closure cost share grants.

(9p) GREAT LAKES RECREATIONAL BOATING AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (bu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,000,000 for fiscal year 1992-93 to provide additional funding for recreational boating aids for Great Lakes projects.

(9q) LAKE MANAGEMENT GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (cs) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,500,000 for fiscal year 1992-93 to provide funding for lake management grants.

(9t) PETROLEUM SPILLS ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (dw) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$432,900 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 6.0 SEG positions for administration of the petroleum storage remedial action program and related costs.

(9tp) LAPSE FROM APPROPRIATION FOR GASOLINE VAPOR RECOVERY GRANTS. On August 31, 1992, there is lapsed from the appropriation under section 20.370 (4) (cg) of the statutes to the general fund an amount equal to the unencumbered balance in the appropriation on August 31, 1992, less \$500,000.

(9w) URBAN RIVERS GRANT PROGRAM.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (1) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$39,500 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 SEG position for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.

**Vetoed
in Part**

**Vetoed
in Part**

~~(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (ria) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,000 for fiscal year 1992-93 to increase the authorized FTE positions for the~~

~~department by 1.0 GPR position for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.~~

**Vetoed
in Part**

(c) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (iu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,400 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 1.0 SEG position for the purpose of administering the urban rivers grant program and for the purpose of providing technical assistance to municipalities in planning and developing urban river projects under this program.

**Vetoed
in Part**

(9x) SCENIC URBAN WATERWAYS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$50,000 for fiscal year 1992-93 to decrease funding for the program for scenic urban waterways.

(9y) GENERAL FUND SUPPLEMENT FOR ENVIRONMENTAL REPAIR. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (md) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$469,400 for fiscal year 1992-93 to reduce the general fund supplement to the environmental fund for environmental repair.

(9z) WASTE TIRE REMOVAL AND RECOVERY TRANSFER. On July 1, 1992, there is transferred from the appropriation to the department of natural resources under section 20.370 (2) (dj) of the statutes, as affected by the acts of 1991, to the environmental fund, for environmental repair, \$469,400.

~~(10j) AQUATIC NUISANCE CONTROL. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$86,400 for fiscal year 1992-93 to increase the authorized FTE positions for the department by 2.0 GPR positions for activities relating to the zebra mussel.~~

**Vetoed
in Part**

(10m) BLACK HAWK WAR EXHIBIT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (8) (mu) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$5,000 for fiscal year 1992-93 to fund the study specified under SECTION 9142 (9m) of this act.

(10t) SPEARFISHING LAW ENFORCEMENT COSTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (ga) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$250,000 for fiscal year 1992-93 to reduce the amount of funding for reimbursement pay-

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ments for law enforcement costs associated with spearfishing.

(11p) COUNTY FOREST LOANS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (at) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$400,000 for fiscal year 1992-93.

(11w) SNOWMOBILE ENFORCEMENT AND SAFETY.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$65,000 for fiscal year 1992-93 to provide funding for state law enforcement operations.

(am) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$17,000 for fiscal year 1992-93 to provide state law enforcement operations for certain events or during certain periods of time.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$26,000 for fiscal year 1992-93 for the department to purchase snowmobiles and trailers to carry snowmobiles.

(c) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (3) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$10,000 for fiscal year 1992-93 for snowmobile safety education and information.

(d) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (ft) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$75,000 for fiscal year 1992-93 to provide law enforcement aids to counties.

(12w) AIR PERMIT ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (2) (ci) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$550,000 for fiscal year 1992-93 to decrease funding for air permit review and enforcement.

SECTION 9243. Appropriation changes; personnel commission.

(1z) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the personnel commission under section 20.547 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$8,800 for fiscal year 1992-93 to decrease funding for the same purpose for which this appropriation is made.

SECTION 9244. Appropriation changes; public defender board.

(1) TRIAL REPRESENTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$23,488,100 for fiscal year 1992-93.

(2) PRIVATE BAR REIMBURSEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the public defender board under section 20.550 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$19,580,800 for fiscal year 1992-93.

SECTION 9245. Appropriation changes; public instruction.

(1) SUPPLEMENTAL STATE SCHOOL AID. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.835 (7) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$36,827,900 for fiscal year 1992-93.

(2) PUBLIC LIBRARY SYSTEMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$11,072,200 for fiscal year 1992-93.

(6) VOCATIONAL EDUCATION POSITIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$172,300 for fiscal year 1992-93 to fund the positions authorized for the department in 1991 Wisconsin Act 93.

(8) GENERAL EQUALIZATION AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ac) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,641,327,300 for fiscal year 1992-93.

(9) AIDS FOR HANDICAPPED EDUCATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$253,957,200 for fiscal year 1992-93.

(9w) SPECIAL ADJUSTMENT AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ba) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$890,000 for fiscal year 1992-93 to reduce funding of special adjustment aid.

(10) AID FOR CHILDREN-AT-RISK PROGRAMS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (bc) of the statutes, as

affected by the acts of 1991, the dollar amount is increased by \$3,500,000 for fiscal year 1992-93.

(12) AID TO COUNTY HANDICAPPED CHILDREN'S EDUCATION BOARDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (bh) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,316,300 for fiscal year 1992-93.

(13) MINIMUM STATE AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (bm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$15,700,000 for fiscal year 1992-93.

(14) BILINGUAL-BICULTURAL EDUCATION AIDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (cc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$8,291,400 for fiscal year 1992-93.

(15) TUITION PAYMENTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (cg) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$5,347,100 for fiscal year 1992-93.

(16) AID FOR PUPIL TRANSPORTATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (cr) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$97,500 for fiscal year 1992-93.

(17) LEARNING ASSISTANCE PROGRAM GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ez) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,434,000 for fiscal year 1992-93.

(18) DRIVER EDUCATION AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (r) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$146,800 for fiscal year 1992-93.

(20h) EDUCATIONAL ASSESSMENT PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$874,400 for fiscal year 1992-93 to reflect separate funding of the educational assessment program.

Vetoed
in Part

(20i) STAFF DEVELOPMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$158,000 for fiscal year 1992-93 to do all of the following:

(a) Increase the authorized FTE positions for the department by 0.75 GPR position associated with teacher work.

Vetoed
in Part

(b) Provide additional funding for science work.

Vetoed
in Part

(c) Provide additional funding for other staff development projects, including projects that increase staff awareness of the educational assessment and technical preparation programs.

Vetoed
in Part

(20j) MANAGEMENT RESTRUCTURING PROGRAMS; TRAINING SESSIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$120,000 for fiscal year 1992-93 to fund the training sessions required under section 118.013 (1) (b) of the statutes, as created by this act.

(20k) HEAD START SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (dm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$2,250,000 for fiscal year 1992-93 to reflect separate funding of head start supplements under section 115.3615 of the statutes, as affected by this act.

(20L) LEARNING ASSISTANCE PROGRAMS; EARLY CHILDHOOD EDUCATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of public instruction under section 20.255 (2) (ez) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,000,000 for fiscal year 1992-93 to provide grants to school districts for programs under section 115.363 (1) (f) of the statutes, as created by this act.

SECTION 9247. Appropriation changes; racing board.

(1zo) GAMING LAW ENFORCEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the racing board under section 20.192 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$40,300 for fiscal year 1992-93 to reflect the transfer of gaming law enforcement responsibilities to the department of justice.

(1zp) TRANSITIONAL FUNDING FOR GAMING COMMISSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the racing board under section 20.192 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$91,300 for fiscal year 1992-93 to reflect the transfer of moneys to provide transitional funding for the gaming commission.

Vetoed
in Part

(2) TRANSFER TO GAMING COMMISSION. On October 1, 1992, the unencumbered balances in the appropriations under section 20.192 (1) (g) and (2) (h), (hm) and (i) of the statutes are transferred to the appropriations under section 20.197 (1) (g) and (3) (h), (hm) and (i) of the statutes, respectively.

SECTION 9248. Appropriation changes; regulation and licensing.

(1) TRANSFER TO GAMING COMMISSION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of regulation and licensing under section 20.165 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is decreased on October 1, 1992, by \$117,200 for fiscal year 1992-93 to reflect the transfer to the gaming commission of 3.5 FTE PR positions under SECTION 9148 (1) of this act.

SECTION 9249. Appropriation changes; revenue.

(1) COUNTY SALES AND USE TAXES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$34,000 for fiscal year 1992-93 to increase funding for an interdepartmental agreement to administer the county sales and use taxes.

(1w) APPROPRIATION LAPSE. On June 30, 1992, there is lapsed to the general fund from the appropriation to the department of revenue under section 20.566 (1) (g) of the statutes, as affected by the acts of 1991, \$1,400,000.

(2) GENERAL PROGRAM OPERATIONS; TAX COLLECTIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$57,300 for fiscal year 1992-93 to reflect the transfer of bulk tax forms order processing to a program revenue appropriation.

(3) GENERAL PROGRAM OPERATIONS; LIMITED TERM EMPLOYEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$34,400 for fiscal year 1992-93 to decrease funding for limited term employees.

(8gx) SHARED REVENUE STUDY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$50,000 for fiscal year 1992-93 to fund the shared revenue study authorized under SECTION 9149 (4gx) of this act.

(5) RECIPROCITY AGREEMENT AND PUBLICATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (3) (gm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$47,100 for fiscal year 1992-93 to reflect the transfer of bulk tax forms order processing from a general purpose revenue appropriation.

(5g) INVESTMENT AND LOCAL IMPACT FUND ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (7) (a) of the statutes, as

Vetoed in Part affected by the acts of 1991, the dollar amount is decreased by \$10,000 for fiscal year 1991-92 and the

~~dollar amount is decreased by \$10,000 for fiscal year 1992-93.~~

Vetoed in Part

(5h) INVESTMENT AND LOCAL IMPACT FUND SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (7) (e) of the statutes, as affected by the acts of 1991, the dollar amount is increased by ~~\$20,000~~ for fiscal year 1992-93 to fund the grant under SECTION 9149 (2g) of this act.

Vetoed in Part

(6) RECYCLING SURCHARGE ADMINISTRATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (q) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$147,100 for fiscal year 1992-93 to increase funding for limited term employees and supplies.

SECTION 9253. Appropriation changes; state fair park board.

(1) CROWD AND TRAFFIC CONTROL SERVICES GRANT PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the state fair park board under section 20.190 (1) (h) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$35,000 for fiscal year 1992-93 to fund the grant program under section 42.12 of the statutes, as created by this act.

SECTION 9254. Appropriation changes; supreme court.

~~(1gx) LIBRARY INVENTORY AND ASSESSMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$39,100 for fiscal year 1992-93 to increase the authorized FTE positions for the supreme court by 1.0 GPR project position for the period beginning on October 1, 1992, and ending on September 30, 1993, to conduct an inventory of existing legal research resources in county law libraries.~~

Vetoed in Part

(2) PUBLIC INFORMATION OFFICER. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$52,900 for fiscal year 1992-93 to increase the authorized FTE positions of the supreme court by 1.0 GPR position on July 1, 1992, to provide public information services.

(3) DIRECTOR OF STATE COURTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$20,000 for fiscal year 1992-93.

(3x) RESEARCH AND LEGAL ACTIVITY. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (2) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$43,800 for fiscal year 1991-92 and the dollar amount is increased

by \$57,100 for fiscal year 1992-93 to increase the authorized FTE positions for the director of state courts by 1.0 GPR position to perform research and legal activities.

(4) LAW LIBRARY OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (4) (a) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$10,000 for fiscal year 1992-93 to reflect a transfer of expenses to the program revenue appropriation under section 20.680 (4) (g) of the statutes.

(5) LAW LIBRARY COLLECTIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the supreme court under section 20.680 (4) (g) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$10,000 for fiscal year 1992-93 to reflect increased collections.

SECTION 9255. Appropriation changes; transportation.

(1) GENERAL MITCHELL INTERNATIONAL AIRPORT GRANT.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (dq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$125,000 for fiscal year 1992-93 to provide funding for a grant to General Mitchell international airport under SECTION 9155 (1x) of this act.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (hq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$125,000 for fiscal year 1992-93 to provide funds for a grant to General Mitchell international airport under SECTION 9155 (1x) of this act.

(2) HIGHWAY AND LOCAL BRIDGE IMPROVEMENT ASSISTANCE; STATE FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (2) (eq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$8,000,000 for fiscal year 1991-92 and the dollar amount is decreased by \$13,000,000 for fiscal year 1992-93.

(3) MAJOR HIGHWAY DEVELOPMENT; STATE FUNDS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (bq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$7,000,000 for fiscal year 1992-93.

(4) STATE HIGHWAY REHABILITATION; STATE FUNDS.

(a) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$6,000,000 for fiscal year

1991-92 and the dollar amount is decreased by \$13,500,000 for fiscal year 1992-93.

(b) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$3,773,200 for fiscal year 1992-93 to provide funds for aids for handicapped education transportation.

(5) TRANSPORTATION REGULATION. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (7) (aq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$1,049,400 for fiscal year 1992-93.

(5mo) MASS TRANSIT OPERATING ASSISTANCE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of transportation under section 20.395 (1) (bq) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$185,000 for fiscal year 1992-93.

SECTION 9257. Appropriation changes; university of Wisconsin system.

(1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by ~~\$613,388,800~~ ^{\$613,238,600} for fiscal year 1992-93.

Vetoed in Part

~~(1m) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$762,900 for fiscal year 1992-93 for supplies and expenses and library acquisitions.~~

Vetoed in Part

(3) UTILITIES, FUEL, HEATING AND COOLING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$41,014,300 for fiscal year 1992-93.

(5) LABORATORIES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (fm) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$4,183,200 for fiscal year 1992-93.

(8) ADVANCED OPPORTUNITY PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (4) (b) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$138,500 for fiscal year 1992-93.

(9) LAWTON MINORITY UNDERGRADUATE GRANTS PROGRAM. In the schedule under section 20.005 (3) of

the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (4) (dd) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$19,100 for fiscal year 1992-93.

(10h) MECHANICAL HEART RESEARCH. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$100,000 for fiscal year 1992-93 to provide the university of Wisconsin medical school department of cardiology with funds for the Milwaukee heart project to build and test working prototypes of a fully implantable mechanical heart. The board of regents may not spend any money appropriated under this section unless an equal amount is received from private contributions.

(11g) RURAL LEADERSHIP PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of regents of the university of Wisconsin system under section 20.285 (1) (a) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$25,000 for fiscal year 1992-93 for direct expenses of seminars held by the rural leadership program in the university of Wisconsin-extension. The board of regents may not spend the funds appropriated under this subsection unless it receives an equal amount of funds from other sources.

SECTION 9258. Appropriation changes; veterans affairs.

(1) HOME FOR VETERANS GENERAL FUND SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (1) (b) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,104,500 for fiscal year 1991-92 and the dollar amount is increased by ~~\$2,121,000~~ for fiscal year 1992-93 to supplement the operations of the veterans home at King.

Vetoed
in Part

\$ 732,300

(1b) VETERANS TRUST FUND LOAN TO GENERAL FUND. There is transferred from the veterans trust fund to the general fund \$2,104,500 in fiscal year 1991-92 and \$2,121,000 in fiscal year 1992-93.

(1g) INSTITUTIONAL OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (1) (gk) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$205,100 for fiscal year 1992-93 to fund increased costs for drugs for residents of the veterans home at King.

Vetoed
in Part

~~(2) HOME FOR VETERANS TRUST FUND SUPPLEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (c) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$2,121,000 for fiscal year 1992-93.~~

(2g) VETERANS AID AND TREATMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (vm) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$180,000 for fiscal year 1991-92 and the dollar amount is decreased by \$186,200 for fiscal year 1992-93 to reduce funding for the grant programs.

(2h) VETERANS LOANS AND EXPENSES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (y) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$627,100 for fiscal year 1991-92 and the dollar amount is increased by \$640,900 for fiscal year 1992-93 to increase funding for economic assistance loans.

SECTION 9259. Appropriation changes; vocational, technical and adult education.

(3) STATE AID. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of vocational, technical and adult education under section 20.292 (1) (d) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$99,034,500 for fiscal year 1992-93.

(4) INCENTIVE GRANTS. In the schedule under section 20.005 (3) of the statutes for the appropriation to the board of vocational, technical and adult education under section 20.292 (1) (dc) of the statutes, as affected by the acts of 1991, the dollar amount is increased by \$7,888,100 for fiscal year 1992-93.

SECTION 9260. Appropriation changes; other.

(1) FINANCIAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.865 (1) (em) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$192,000 for fiscal year 1991-92 and the dollar amount is decreased by \$192,000 for fiscal year 1992-93.

(2) EXECUTIVE RESIDENCE FURNISHINGS. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.865 (2) (eb) of the statutes, as affected by the acts of 1991, the dollar amount is decreased by \$25,000 for fiscal year 1991-92.

(3z) GAMING COMMISSION POSITION FUNDING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the gaming commission under section 20.197 (1) (g) of the statutes, as created by this act, the dollar amount is increased by \$117,200 for fiscal year 1992-93 on October 1, 1992, to provide funding for the positions transferred to the gaming commission under SECTION 9148 (1) of this act.

(4x) PAYMENTS FOR MUNICIPAL SERVICES. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.835 (5) (a) of the statutes, the dollar amount is increased by \$675,000 for fiscal year 1992-93 to increase funding for the purpose of this appropriation.

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

(2) GRAIN DEALER BOND AND SECURITY REQUIREMENTS. The treatment of section 127.07 (6) (c) and (7) (c) of the statutes first applies to the registration year that begins on September 1, 1992.

Vetoed in Part

(2p) PAYMENTS FOR CONDEMNED AND SLAUGHTERED COMMERCIALY RAISED DEER. The treatment of sections 95.25 (5) and (5m) and 95.31 (3) of the statutes first applies to payments made on January 1, 1992, for commercially raised deer, as defined in section 95.25 (5m) of the statutes, as created by this act, that are destroyed on or after January 1, 1992.

Vetoed in Part

(3w) DAIRY PLANT PAYMENTS. The treatment of section 100.06 (2m) of the statutes first applies to milk received by a dairy plant operator from a milk producer on the first day of the first month beginning after publication.

SECTION 9310. Initial applicability; circuit courts.

(2t) TAX WARRANT COURT FEES. The treatment of section 814.61 (5) (b) and (c) of the statutes first applies to the filing and docketing of a withdrawal, satisfaction or voidance of a tax warrant performed by the clerk of courts on the effective date of this subsection.

(7p) CHILD SUPPORT FEE. The treatment of section 814.61 (12) (b) (intro.) of the statutes first applies to annual fees becoming due on the effective date of this subsection.

SECTION 9312. Initial applicability; corrections.

(1) INMATE WAGES. The treatment of section 303.06 (2) of the statutes first applies to wages earned on the effective date of this subsection.

SECTION 9325. Initial applicability; health and social services.

Vetoed in Part

(3g) STATE AGENTS, CERTAIN PHYSICIANS. The treatment of section 146.89 (5) of the statutes first applies to actions or special proceedings commenced on the effective date of this subsection.

(5jo) PHYSICIANS SUPERVISING IMMUNIZATION PROGRAMS. The treatment of sections 140.05 (16) (f) and (fm), 165.25 (6) (c), 893.82 (2) (d) 1r and 895.46 (5) of the statutes and the creation of section 895.46 (5) (b) of the statutes first apply to actions or special proceedings that are commenced on the effective date of this subsection.

SECTION 9329. Initial applicability; industry, labor and human relations.

(1g) RELOCATION PLANS. The treatment of section 32.25 (1) and (3) of the statutes first applies to appraisals and options obtained on the effective date of this subsection.

SECTION 9330. Initial applicability; insurance.

(1) CONFIDENTIAL INFORMATION. The treatment of section 601.465 of the statutes first applies to testimony, reports, records and information in existence on the effective date of this subsection.

(1z) MOTOR VEHICLE GLASS REPAIR. The treatment of section 632.37 of the statutes first applies to policies

issued or renewed on the effective date of this subsection.

~~(2g) PARTIAL HOSPITALIZATION. The treatment of section 632.89 (2) (b) (title) and 1 and (c) (title) 1, 2, a and b, and 3 of the statutes first applies to policies issued or renewed on the effective date of this subsection.~~

Vetoed in Part

(2t) GENETIC TESTS. The treatment of sections 40.51 (8) (by SECTION 276ic), 66.184 (by SECTION 487i), 120.13 (2) (g) (by SECTION 651c), 185.981 (4t) (by SECTION 798g), 185.983 (1) (intro.) (by SECTION 798h) and 631.89 of the statutes first applies to policies and plans issued, entered into or renewed on the effective date of this subsection.

(2v) COVERAGE OF CHIROPRACTIC SERVICES. The treatment of section 632.87 (3) (b) 4 and 5 and (c) of the statutes first applies to policies, plans or contracts issued or renewed on the effective date of this subsection.

Vetoed in Part

(3do) COVERAGE OF DENTAL SERVICES. The treatment of sections 40.51 (8) (by SECTION 276id), 66.184 (by SECTION 487j), 120.13 (2) (g) (by SECTION 651d), 185.981 (4t) (by SECTION 798gg), 185.983 (1) (intro.) (by SECTION 798hg) and 632.87 (1) and (4) of the statutes first applies to policies, plans and contracts issued, entered into or renewed on the effective date of this subsection.

~~(7hx) COVERAGE OF INFERTILITY TREATMENT FOR ENDOMETRIOSIS. The treatment of sections 40.51 (8) (by SECTION 276ie), 185.981 (8m), 185.983 (1) (intro.) (by SECTION 798h) and 632.895 (10) of the statutes first applies to policies and plans issued or renewed on the effective date of this subsection.~~

Vetoed in Part

SECTION 9341. Initial applicability; military affairs.

(1z) TUITION GRANTS. The treatment of section 21.49 (2) (b) of the statutes first applies to applications submitted on the effective date of this subsection.

SECTION 9342. Initial applicability; natural resources.

(1p) BOAT TITLING. The treatment of sections 30.531 (1) (intro.) and (3) (a), 30.541 (3) (d) and 30.578 of the statutes first applies to an application for the issuance or transfer of a certificate of title that is made on the effective date of this subsection.

(2v) SNOWMOBILE VIOLATIONS.

(a) The treatment of section 350.11 (3) (a) 1 of the statutes first applies to violations committed on the effective date of this paragraph.

(b) The treatment of section 350.11 (1) and (2) of the statutes and the creation of section 350.11 (1) (b) and (2) (b) of the statutes first apply to violations committed on the effective date of this paragraph, but do not preclude the counting of other violations as prior violations for purposes of sentencing.

(3) ZONING FOR TRENTON ISLAND IN PIERCE COUNTY.

(a) The treatment of section 59.972 of the statutes first applies to provisions under the county shoreland

zoning ordinance for Pierce county on the effective date of this paragraph regardless of when the county shoreland zoning ordinance was enacted.

(b) The treatment of section 59.972 of the statutes first applies to alterations, repairs, additions and reconstruction that begin on the effective date of this paragraph.

(c) The treatment of section 87.307 of the statutes first applies to provisions under the floodplain zoning ordinance for Pierce county on the effective date of this paragraph regardless of when the floodplain zoning ordinance was enacted.

(d) The treatment of section 87.307 of the statutes first applies to modifications, additions, replacement and reconstruction that begin on the effective date of this paragraph.

SECTION 9344. Initial applicability; public defender board.

(1p) REIMBURSEMENT FOR INVESTIGATORY OR EXPERT SERVICES. The treatment of sections 977.03 and 977.05 (4r) (a) of the statutes and the creation of section 977.03 (2) of the statutes first apply to investigatory or expert services in cases assigned by the state public defender that are retained on the effective date of this subsection.

SECTION 9345. Initial applicability; public instruction.

Vetoed in Part (3i) DAY CARE CENTERS. The treatment of sections 121.004 (7) (e) and 121.05 (1) (a) 9 of the statutes first applies to state aid paid in the 1993-94 school year.

(4m) CONSOLIDATION INCENTIVES. The treatment of sections 121.07 (6) (e) and (7) (e) and 121.105 (3) of the statutes first applies to school district consolidations that take effect on July 1, 1992.

SECTION 9348. Initial applicability; regulation and licensing.

(1g) FILING OF DOCUMENTS BY NONPROFIT CEMETERY. The treatment of section 157.062 (9) of the statutes first applies to certifications, resolutions and copies of proceedings filed on the effective date of this subsection by a cemetery association described in section 157.062 (9) of the statutes.

SECTION 9349. Initial applicability; revenue.

(1) EXTENSIONS. The treatment of section 71.03 (7) of the statutes first applies to taxable years beginning on January 1, 1992.

(1m) EARNED INCOME TAX CREDIT. The treatment of section 71.07 (9e) (a) 1 to 3 of the statutes first applies to taxable years beginning on January 1, 1992.

(2) FAILURE TO FILE SALES OR USE TAX RETURN. The treatment of section 77.59 (9) of the statutes first applies to returns due on the first day of the 3rd month beginning after publication.

(2u) INDIVIDUAL INCOME TAX MEDICAL INSURANCE DEDUCTION. The treatment of section 71.07 (5) (a) 15 of the statutes first applies to taxable years beginning on January 1, 1993.

(3n) LATE FILING FEES. The treatment of section 71.83 (3) of the statutes first applies to assessments,

determinations or other actions taken by the department of revenue on the effective date of this subsection, regardless of the taxable year to which they apply.

~~(4e) LOW-INCOME HOUSING TAX CREDIT, OFFSET PROVISIONS. The treatment of sections 71.26 (4) and 71.28 (6) (e) of the statutes first applies to taxable years beginning on January 1, 1992.~~

Vetoed in Part

(5) RETAILER DISCOUNT. The treatment of section 77.61 (4) (c) of the statutes first applies to taxes payable on returns filed for periods that end on January 1, 1993.

~~(6) SALES TAX AND WITHHOLDING PAYMENTS. The treatment of sections 71.65 (3) (a) and (b) and 77.58 (1) and (2) (intro.) (a) and (b) of the statutes first applies to deposits or taxes payable on returns for periods that end on January 1, 1993.~~

Vetoed in Part

(6g) CLERGY, RECYCLING. The treatment of sections 77.92 (4) and (5) and 77.93 (2) of the statutes first applies to taxable years that begin on January 1, 1992.

(6hy) SHARED REVENUE POPULATION ESTIMATES. The treatment of section 16.96 (2) (f) of the statutes first applies to shared revenue payments made in 1993.

~~(6m) TAXPAYER IDENTIFICATION LABELS. The treatment of section 71.03 (1m) of the statutes first applies to taxable years beginning on January 1, 1993.~~

Vetoed in Part

(7) SMALL MUNICIPALITIES SHARED REVENUE. The treatment of sections 20.835 (1) (b) and 79.03 (3c) of the statutes first applies to small municipalities shared revenue payments made in 1993.

(7e) LOTTERY CREDIT PAYMENTS. The treatment of section 79.10 (7m) (b) 1. a. of the statutes first applies to lottery credit distributions in 1993.

(8) UNDERREPORTING PENALTY. The treatment of section 77.60 (3) of the statutes first applies to returns filed on the effective date of this subsection.

(9g) DEPRECIATION UPDATE. The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1992.

(10x) MANUFACTURING PROPERTY. The treatment of sections 70.995 (8) (a), (b), (c) and (d) and 79.015 of the statutes first applies to changes in responsibility for assessment in regard to the assessment as of January 1, 1991.

Vetoed in Part

~~(11rv) SHARED REVENUE MAXIMUM PAYMENTS. The treatment of section 79.06 (2) (d) of the statutes first applies to shared revenue payments made in 1993.~~

Vetoed in Part

~~(12l) TAX RATE DISPARITY NOVEMBER PAYMENT. The treatment of sections 16.96 (2) (dm) and (e), 79.02 (3) and 79.08 and the creation of section 79.08 (2) of the statutes first apply to shared revenue payments made in 1992.~~

Vetoed in Part

SECTION 9351. Initial applicability; secretary of state.

(1f) SECURED TRANSACTIONS FILING FEES. The treatment of sections 409.403 (5) (a) 1, 1m and 2 and (b) 1, 1m and 2, 409.404 (3) (a), (b) and (c), 409.405 (1), (1m) and (2), 409.406 and 409.407 (2) (a) and (b) of the stat-

utes first applies to secured transactions fees charged on the effective date of this subsection.

**Vetoed
in Part**

~~(1m) FEDERAL TAX LIENS. (a) The creation of section 779.97 (2) (c) 2 and 3 of the statutes first applies to federal liens filed on the first day of the 3rd month beginning after publication. (b) The treatment of section 779.97 (4) (e) of the statutes first applies to a certificate or copy requested on the effective date of this paragraph.~~

SECTION 9355. Initial applicability; transportation.

(1e) REVOCATION OF LICENSE AND REGISTRATION. The treatment of sections 341.36 (1), (1m), (2) and (3), 343.10 (10) (am), 343.34 (intro.), 344.02 (title) and (4), 344.04, 344.08, 344.09, 344.12, 344.13, 344.14 (title), (1), (1g), (1m) (intro.) and (2) (h) and (k), 344.18 (title), (3) (b), (3r) and (4), 344.19 (2) and (3g), 344.40 (2) and 344.46 (1) and (3) of the statutes, the amendment of sections 344.02 (1) and (3), 344.18 (1) and (3) (intro.) and 344.19 (3) of the statutes and the creation of sections 344.08 (3) and 344.09 (3) of the statutes first apply to accidents occurring on the effective date of this subsection.

(1f) PROOF OF FINANCIAL RESPONSIBILITY. The treatment of sections 344.18 (1m) and (3m), 344.19 (3m), 344.24, 344.29, 344.40 (1) and 344.41 (1) (intro.), (1m) and (3) of the statutes, the repeal and recreation of sections 344.18 (1) (intro.) and (3) (intro.), 344.19 (3) and 344.40 (2) of the statutes and the creation of sections 344.40 (1) (b) and 344.41 (3) (b) of the statutes first apply to suspended or revoked operating privilege and registrations renewed or reinstated on the effective date of this subsection.

(1mt) MASS TRANSIT OPERATING ASSISTANCE. The treatment of section 85.20 (4m) (a) and (em) 1 of the statutes first applies to state mass transit operating assistance payments under section 85.20 (4m) of the statutes for calendar year 1993.

SECTION 9358. Initial applicability; veterans affairs.

(1h) VIETNAM VETERANS HEALTH CARE. The treatment of section 45.351 (1m) of the statutes first applies to applications for health care aid submitted to the department of veterans affairs on the effective date of this subsection.

SECTION 9360. Initial applicability; other.

(2t) CHILD ENTICEMENT. The treatment of section 939.74 (2) (c) of the statutes first applies to offenses occurring on the effective date of this subsection.

(3) PERSONAL INFORMATION PRACTICES.

(a) The treatment of sections 19.35 (1) (a) and (am) 1 and 2 and (4) (c), 19.36 (6) and 19.73 (2) and (4) (intro.) and (a) to (e) of the statutes first applies to requests submitted under section 19.35 (1) (a) or (am) of the statutes, as affected by this act, on the effective date of this paragraph.

(b) The treatment of sections 19.365 (title) (b) and (2) (intro.) and 19.73 (3) and (4) (intro.) and (a) to (e) of the statutes first applies to challenges submitted to an

authority under section 19.365 (1) of the statutes, as affected by this act, on the effective date of this paragraph, except that the requirement for notice of reasons for a denial under section 19.365 (1) (b) of the statutes, as affected by this act, first applies to challenges submitted to an authority under section 19.365 (1) of the statutes, as affected by this act, on the first day of the first month beginning after the effective date of this paragraph.

(c) The treatment of sections 19.37 (2) and 19.80 (1) (e) of the statutes first applies to violations of section 19.35 (1) (am) of the statutes, as created by this act, occurring on the effective date of this paragraph.

(d) The treatment of section 19.69 (1) (intro.) (as it relates to requiring that matching program specifications be in writing) of the statutes first applies to matches conducted on the first day of the 3rd month beginning after publication.

(e) The treatment of section 146.81 (2) (b) and (c) of the statutes first applies to an informed consent signed on the effective date of this paragraph.

(g) The treatment of section 908.03 (6m) (c) 3 and (d) of the statutes first applies to requests made under section 908.03 (6m) (c) of the statutes, as affected by this act, on January 1, 1993.

(3g) FUTURE SERVICE CONTRACTS. The treatment of section 136.001 (3) of the statutes and the creation of section 136.001 (3) (a), (b) and (c) of the statutes first apply to future service contracts, as defined in section 136.01 (5) of the statutes, entered into, renewed, extended or modified on the effective date of this subsection.

~~(4gx) COMMUNITY AIDS POPULATION ESTIMATES. The treatment of section 16.96 (1) of the statutes first applies to community aid allocations made in fiscal year 1992-93.~~

**Vetoed
in Part**

(5f) NOTIFICATION OF CRIME VICTIMS. The treatment of sections 51.37 (10) (a), (dg), (dm), (dx) and (e), 895.54, 950.045 and 971.17 (3) (e), (4m) and (6m) of the statutes and the creation of section 51.37 (10) (a) of the statutes first applies to extended home visits and leaves, releases, terminations and discharges of persons committed on the effective date of this subsection.

(5h) PRIZE NOTICES. (a) The treatment of section 134.74 (1) to (5) of the statutes first applies to prize notices, as defined in section 134.74 (1) (b) of the statutes, as created by this act, that are received on the effective date of this paragraph.

(b) The treatment of section 134.74 (6) to (9) of the statutes first applies to causes of action that accrue on the effective date of this paragraph.

(5p) PAWNBROKERS AND SECONDHAND DEALERS. The treatment of section 134.71 (2), (3) (a), (4), (5) (intro.) and (9) (a) 3 and 4 of the statutes first applies to the operation of business by a pawnbroker, secondhand article dealer, secondhand jewelry dealer or owner of a secondhand article dealer mall or flea market on the effective date of this subsection.

Vetoed
in Part

(7f) MUNICIPAL TRANSPORTATION OF JAIL PRISONERS. The amendment of sections 60.565 and 302.38 (2) of the statutes, the renumbering and amendment of section 302.38 (3) of the statutes and the creation of section 302.38 (3)(b) of the statutes first apply to costs incurred on the effective date of this subsection.

SECTION 9400. **Effective dates; general statement.**
Except as otherwise provided in SECTIONS 9401 to 9460, this act takes effect on the day after publication.

SECTION 9401. **Effective dates; administration.**

(1) ABOLISHING BOARD ON THE U.S.S. WISCONSIN. The treatment of sections 15.07 (2) (c), 15.105 (13), 16.03 and 20.505 (4) (fn) and (i) of the statutes takes effect on July 1, 1994.

SECTION 9404. **Effective dates; agriculture, trade and consumer protection.**

(1q) MILK PROCUREMENT FEES. The treatment of section 97.20 (2) (b) and (2g) (a) of the statutes takes effect on July 1, 1992.

Vetoed
in Part

(11g) SYNTHETIC BOVINE SOMATOTROPIN CERTIFICATION AND REPORTING REQUIREMENTS. The treatment of sections 97.20 (3k), 97.23 and 97.237 of the statutes takes effect on the first day of the 4th month beginning after publication.

Vetoed
in Part

(2ag) TRANSFER OF CONSUMER PROTECTION RESPONSIBILITIES. The repeal of sections 93.18 (3), 100.18 (11) (b) 1, 100.20 (1m), 100.26 (4) and (7) and 134.83 (6) of the statutes, the renumbering of sections 100.16, 100.17, 100.18 (title), (1), (2), (a), (b) and (c), (3), (10) (11) (b) 2 and (c) and (12), 100.182 (title) and (1) to (4), 100.205 (title), (1) to (4) and (6), 100.21 (title) and (6), 100.215, 100.28, 100.285, 100.29, 100.295, 100.297 (title), (2) and (3), 100.31, 100.33, 100.35 (title) and (1), 100.37 (title) and (1m), 100.37 (1), (3), (4) and (6) to (8), 100.38 (title), (1) and (2), 100.38 (5) to (7), 100.41 (title) and (1) to (4), 100.42 (title), (1), (2) and (4), 100.43 (title) and (2), 100.45, 134.70 (title), (1) to (12) and (14), 134.83 (title), (1) to (4), (7) and (8) of the statutes, the renumbering and amendment of sections 20.115 (1) (bm), (g) and (o), 100.15, 100.18 (11) (a), (b) 3, (d) and (e), 100.182 (5), 100.20 (1), 100.205 (5), (7), (8) and (9), 100.21 (1), (2), (3) and (4), 100.297 (1), 100.35 (2), 100.37 (2) and (5), 100.38 (3), 100.41 (5), 100.42 (3) and (5), 100.43 (1), (3) and (4), 134.70 (13) and (15) (a), (am) and (b) and 134.83 (5) of the statutes, the amendment of 13.94 (1) (bm), 14.38 (12), 14.82 (1) (intro.), 15.07 (5) (d), 15.105 (12) (a) 1, (16) (b) 1 and (18) (c), 15.13, 15.135 (3), (4) (a) and (b) 1 and (5), 15.137 (1), (2) and (5) (intro.), (a) and (b), 15.155 (4) (a) 1, 15.195 (1) and (2), 15.315 (1), 15.347 (8) (d) 2 and (13) (b) 3, 15.87, 15.915 (2) (a), 16.967 (6), 20.115 (intro.), 20.923 (4) (f) 2, 26.30 (2) and (5), 27.015 (3) and (12), 30.46 (1) (a) and (2), 32.035 (1) (a), 36.25 (7) and (11) (c), 42.10, 46.79 (2) (intro.), 50.51 (1) (d), 50.535 (2) (am), 58.07 (1), 59.871 (1), 61.72, 66.075 (1), 66.124 (1), 66.33 (5), 66.955 (3), 69.66, 70.27 (5) and (8), 70.425 (2) and (3), 84.01 (17), 86.19 (1m), 88.11 (1) (intro.), (3) (intro.), (4) and (5) (intro.), 88.13, 88.21 (5), 88.22 (3) (intro.), 88.35 (7), 91.01 (3), 92.03

(3), 93.01 (3) and (5), 93.09 (6), 93.18 (2), 93.27 (2), 93.31, 94.72 (1) (d), 96.04 (2) (c), 97.01 (4), 97.24 (3), 100.02, 100.20 (title), (2) and (3), 100.26 (1), (3), (5) and (6), 101.08 (9), 101.175 (3) (intro.) and (6), 101.177 (1) (b) and (c), 101.58 (2) (1), 101.586, 127.01 (10), 134.705 (1) (c), (4) and (7), 134.74 (1) (b) 2, c, 134.99 (1), 136.001 (2), 136.03 (2), 136.04 (title), (1) and (2), 140.77 (2), 144.025 (2) (a) and (1) and 2 (intro.), a and b, 144.027 (1) (e) 1, 144.25 (4) (as), (c) (d), (e) (g) (intro.), 2 and 4, (i), (j), (k), (p) (pm) (q) and (r), (4m) (s) and (d), (5) (intro.), (8) (g) (intro.) and (h) 1 and (10), 144.251, 144.422 (1), 146.125, 146.24, 146.60 (1) (c), (2) (b), (3) (c) 1 and 2 and (5), 159.01 (6), 159.11 (2s) (a) and (b), 159.22 (2) (c), 160.01 (7), 165.065 (2), 174.001 (2), 174.11 (1) and (2), 196.857 (1) (intro.), 230.08 (2) (e) 2 and 7, 236.02 (4), 341.10 (14), 348.01 (2) (am), 348.15 (5) (intro.), 348.27 (11) (a), 421.103 (4), 440.02 (7), 553.03 (5m) (c), 553.78, 560.03 (13), 560.07 (6), 560.165 (7m) (1) 6, 560.92 (1), 562.02 (2) (fm), 618.41 (6m), 631.01 (1), (b) and (4m), 632.18, 704.20 (9), 710.02 (4) (a) (intro.), 885.01 (4) and 945.01 (5) (b) 2, g. and chapter 93 (title) of the statutes, the repeal and recreation of sections 895.57 (3) and 943.75 (3) of the statutes, the creation of sections 15.253 (1), 100.20 (1), 130.01, 130.02, 130.03, 130.04, 130.05, 130.06, 130.09, 130.34 and 130.35 and chapter 130 (title) of the statutes, the treatment of 1983 Wisconsin Act 536, section 4, and SECTION 9104 (4m) of this act take effect on July 1, 1992.

Vetoed
in Part

(2p) SITE REPORTING. The treatment of section 94.709 of the statutes takes effect on the first day of the 13th month beginning after publication.

Vetoed
in Part

SECTION 9406. **Effective dates; banking.**

(1z) COLLECTION AGENCY TRUST ACCOUNTS. The treatment of sections 186.113 (19), 215.13 (48) and 218.04 (9g) and (9m) (b) of the statutes takes effect on the first day of the 3rd month beginning after publication.

SECTION 9410. **Effective dates; circuit courts.**

(1) RESERVE JUDGE COMPENSATION. The treatment of section 753.075 (3) (a) of the statutes takes effect on August 1, 1994.

SECTION 9412. **Effective dates; corrections.**

(1j) JAIL AND CORRECTIONAL SYSTEM IMPACT. The treatment of section 13.58 of the statutes takes effect on July 1, 1993.

Vetoed
in Part

SECTION 9415. **Effective dates; development.**

(1j) GRANT TO CENTRAL WISCONSIN ENTREPRENEURIAL DEVELOPMENT CENTER. The repeal and recreation of section 20.143 (1) (er) of the statutes takes effect on July 1, 1993.

(2) MUNICIPAL BOUNDARY ADJUSTMENT REVIEW. SECTION 9115 (1g) of this act takes effect on July 1, 1992.

(2p) GRANTS FOR URBAN INDUSTRIAL PARK AND BELOIT RIVERFRONT DEVELOPMENT. The repeal and recreation of section 20.143 (1) (c) of the statutes takes effect on July 1, 1993.

Vetoed
in Part

Vetoed in Part (3g) ~~TOURISM MARKETING.~~ The repeal and recreation of section 20.143 (2) (b) of the statutes takes effect on July 1, 1993.

SECTION 9417. Effective dates; educational communications board.

(1) **TRANSFER OF POSITION.** SECTION 9117 (1f) of this act takes effect on July 1, 1992.

Vetoed in Part SECTION 9419 ~~Effective dates; employe trust funds.~~

(1w) ~~EXCLUSION OF WISCONSIN COUNTIES ASSOCIATION FROM PARTICIPATION IN WISCONSIN RETIREMENT SYSTEM.~~ The treatment of sections 40.02 (28) and (36), 40.05 (2) (fm), 40.19 (5), 40.21 (2), 66.04 (2) (b) and 77.54 (26) of the statutes takes effect on July 1, 1992.

SECTION 9425. Effective dates; health and social services.

Vetoed in Part (3i) ~~WOMEN, INFANTS AND CHILDREN PROGRAM SUPPLEMENT.~~ The treatment of section 20.435 (1) (em) of the statutes takes effect on July 1, 1992.

(3x) ~~WOMEN, INFANTS AND CHILDREN PROGRAM ADMINISTRATION.~~ The treatment of section 20.435 (1) (es) of the statutes takes effect on July 1, 1992.

(4) **STATE HEALTH INSURANCE PROGRAM.** The treatment of sections 20.435 (1) (fb), (gp) and (gq) and 146.99 of the statutes takes effect on the day after publication or retroactively to June 30, 1992, whichever is earlier.

(7) **MEDICAL ASSISTANCE PRESUMPTIVE ELIGIBILITY.** The treatment of section 49.465 (2) (intro.), (a), (b) and (c) and (4) of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed in Part (7d) ~~MEDICAL ASSISTANCE FOR CHILDREN AND PREGNANT WOMEN.~~ The treatment of section 49.47 (4) (am), (j) and (g) of the statutes takes effect on July 1, 1993.

(9) **ANNUAL APPROPRIATIONS.** The repeal and recreation of section 20.435 (4) (df) of the statutes takes effect on June 30, 1993.

(12) **DAY CARE PROGRAMS FOR STUDENT PARENTS.** The treatment of sections 20.435 (7) (eg), 46.99, 115.91 (intro.), (1) and (2), 115.93 (1m) and (2) and 119.72 (2) (c) of the statutes takes effect on July 1, 1992.

(16) **HOME HEALTH SERVICES REIMBURSEMENT.** The treatment of section 49.45 (8) of the statutes takes effect on July 1, 1992.

(17) **MEDICAL ASSISTANCE PAYMENT TO NURSING FACILITIES.** The treatment of section 49.45 (6m) (ag) 8 and (av) 4. (intro.) and b. of the statutes, 1991 Wisconsin Act 39, section 9125 (15f) and 1991 Wisconsin Act 80, section 17 (2) takes effect on July 1, 1992.

Vetoed in Part (17d) ~~MEDICAL ASSISTANCE SERVICES COUNCIL.~~ The treatment of sections 15.197 (13) and 49.44 of the statutes takes effect on July 1, 1992.

(17e) **HOMELESS INDIVIDUALS; MENTAL HEALTH SERVICES DECREASE.** SECTION 9125 (6j) of this act takes effect on July 1, 1992.

Vetoed in Part (17g) ~~DRIVER IMPROVEMENT SURCHARGE.~~ The treatment of sections 20.235 (1) (hm), 20.435 (6) (hx)

and (hz) and (7) (hy) and 20.455 (5) (h) of the statutes takes effect on July 1, 1993.

(18) **HOSPICE REGULATION.** The treatment of section 20.435 (1) (dv) of the statutes takes effect on June 30, 1992.

(18j) **DISCRIMINATION RELATED TO AIDS.** The renumbering and amendment of section 146.024 (1) (a) (by SECTION 765cc) of the statutes takes effect on July 1, 1993.

(19g) ~~VOLUNTEER HEALTH CARE PROVIDER.~~ The repeal and recreation of section 146.89 (1) of the statutes takes effect on July 1, 1993.

(19w) ~~DOMESTIC ABUSE IDENTIFICATION TRAINING PROGRAM GRANT.~~ The repeal of section 20.435 (1) (fd) of the statutes takes effect on July 1, 1993.

(19x) **ASSESSMENTS ON OCCUPIED, LICENSED BEDS.** The treatment of sections 20.002 (2), 49.45 (6m) (ag) 8, (am) 4 and (av) 4. (intro.) and b. and 50.14 of the statutes takes effect on July 1, 1992.

SECTION 9426. Effective dates; higher educational aids board.

(1g) **ACADEMIC EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS.** The treatment of section 39.41 (1) (a), (ac) and (aj), (1m) (a) 1 to 5, (c) 1, 2 and 4, (d) (f) and (g), (2) (a) and (b), (3), (3m), (5) (b) and (c), (7) and (8) of the statutes takes effect on July 1, 1992.

SECTION 9427. Effective dates; historical society.

(1) **TRANSFER OF STATE PROPERTY.** The treatment of section 27.01 (6) (L) of the statutes takes effect on July 1, 1993.

SECTION 9429. Effective dates; industry, labor and human relations.

(1p) **PETROLEUM INSPECTION FEE.**
(a) The treatment of sections 20.370 (4) (cg), 20.445 (1) (j) (by SECTION 120em), 25.46 (19), 25.47, 101.143 (2) (a), 168.12 (1), (1m), (1r) and (1s) and 227.01 (13) (zd) of the statutes takes effect on July 1, 1992.

(b) The treatment of section 168.12 (1g) of the statutes takes effect on September 1, 1992.

SECTION 9430. Effective dates; insurance.

(1g) ~~PARTIAL HOSPITALIZATION.~~ The treatment of section 632.89 (2) (b) (title) and 1 and (c) (title), 1, 2 a and b, and 3 of the statutes and SECTION 9330 (2g) of this act take effect on the first day of the 5th month beginning after publication.

(1go) **COVERAGE OF DENTAL SERVICES.** The treatment of sections 40.51 (8) (by SECTION 276id), 66.184 (by SECTION 487j), 120.13 (2) (g) (by SECTION 651d), 185.981 (4t) (by SECTION 798gg), 185.983 (1) (intro.) (by SECTION 798hg) and 632.87 (1) and (4) of the statutes and SECTION 9330 (3do) of this act take effect on the first day of the 5th month beginning after publication.

(2gx) ~~COVERAGE OF INFERTILITY TREATMENT FOR ENDOMETRIOSIS.~~ The treatment of sections 40.51 (8) (by SECTION 276ie), 185.981 (8m), 185.983 (1) (intro.) (by SECTION 798h) and 632.895 (10) (a), (b) and (d) of the statutes and SECTION 9330 (7mx) of this act take effect

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part On the first day of the 12th month beginning after publication.

(2t) GENETIC TESTS. The treatment of sections 40.51 (8) (by SECTION 276ic), (8m), (13), (14) and (15), 66.184 (by SECTION 487i), 120.13 (2) (g) (by SECTION 651c), 185.981 (4t) (by SECTION 798g), 185.983 (1) (intro.) (by SECTION 798h) and 631.89 of the statutes and SECTION 9330 (2t) of this act take effect on July 1, 1992.

SECTION 9442. Effective dates; natural resources.

Vetoed in Part (1w) HAZARDOUS WASTE GENERATOR FEE. The treatment of sections 25.46 (17) and 144.442 (1s) (b) 1 and (e) of the statutes takes effect on July 1, 1992.

(2m) RECREATIONAL BOATING AIDS. The repeal and recreation of section 20.370 (4) (bu) of the statutes takes effect on July 1, 1993.

(2p) GRANTS FOR SMALL POINT SOURCE PROJECTS. The treatment of sections 20.370 (4) (ca) and 144.21 (3) (c), (6) (a) and (c) and (8) of the statutes takes effect on June 30, 1993.

(3j) NONPOINT SOURCE APPROPRIATION. The treatment of section 20.370 (4) (cc) of the statutes takes effect on the 2nd day after publication.

(5g) SNOWMOBILE SUPPLEMENTAL TRAIL AID PAYMENTS. The treatment of section 350.12 (4) (b) 1, (bg) and (bm) 1 of the statutes takes effect on July 1, 1992.

(5p) LAKE MANAGEMENT GRANTS. The treatment of section 20.370 (4) (cs) of the statutes and the repeal and recreation of section 25.40 (2) of the statutes take effect on July 1, 1992.

(6v) AIR FEES. The treatment of sections 144.399 (1) (a) and (b), (3) and (6) and 144.96 (3) (a) and (d) of the statutes takes effect on November 15, 1992.

(6w) AIR APPROPRIATIONS. The treatment of sections 20.370 (2) (bg), (bh), (bi) and (ci), (4) (ig) and (8) (mg) and (mh) and 144.399 (2) and (4) of the statutes takes effect on July 1, 1992.

SECTION 9445. Effective dates; public instruction.

(4x) DRIVER EDUCATION AID. The treatment of section 121.41 (1) of the statutes takes effect on July 1, 1992.

Vetoed in Part (4z) FINANCIAL HARDSHIP ASSISTANCE TO SCHOOL DISTRICTS. The treatment of sections 20.455 (4) (a), 24.61 (title) (3) (c) (title) and 141.2485, 121.07 (1) (a) and (7) (a) and 121.082 of the statutes, the renumbering and amendment of section 24.61 (3) (c) of the statutes and the creation of section 24.61 (3) (c) 2 of the statutes take effect on July 1, 1992.

(5f) SCHOOL DISTRICT AUDITS. The treatment of section 121.02 (2) of the statutes takes effect on July 1, 1993.

(5h) HEAD START SUPPLEMENT. The treatment of sections 20.255 (2) (dm) and (eh) and 115.361 (1) and (7) (a) 1 of the statutes take effect on July 1, 1992.

(5i) PUPIL MINIMUM COMPETENCY TESTS. The treatment of sections 20.255 (2) (f), 118.30 and 121.02 (1) (s) of the statutes takes effect on July 1, 1992.

SECTION 9448. Effective dates; regulation and licensing.

(1g) INVESTMENT OF CEMETERY FUNDS. The treatment of section 157.19 (7) of the statutes takes effect retroactively to November 1, 1991.

SECTION 9449. Effective dates; revenue.

(1) CIGARETTE TAX. The treatment of section 139.31 (1) (a) and (b) of the statutes takes effect on May 1, 1992, or the first day of the first month beginning after publication, whichever is later. **Vetoed in Part**

(3) LAND CONTRACTS. The treatment of sections 77.22 (1) and (2), 77.25 (10) and (17), 101.122 (6) and 706.05 (12) of the statutes and the repeal of section 77.22 (1) (title) of the statutes take effect on the first day of the 4th month beginning after publication.

(3x) MOBILE HOMES. The treatment of section 70.111 (19) (b) of the statutes takes effect on January 1, 1993.

(4aj) PROPERTY TAX DEFERRAL. The treatment of sections 20.505 (9) (title), (a) and (b), 20.566 (8) (title), (q), (v), (w) and (wa), 25.38, 77.63, 77.64 (intro.), (1), (2), (3) to (7) and (8), 77.65, 77.665, 77.66 and 77.67 (title), (1), (2), (2m), (3), (4), (5) and (6), subchapter X (title) of chapter 16, chapter 77 (title) and subchapters IV (title) of chapter 77 of the statutes and SECTION 9149 (1x) of this act take effect on July 1, 1992.

Vetoed in Part (4b) SALES BY SCHOOLS. The treatment of section 77.54 (9) of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed in Part (4p) GOVERNMENTAL PROPERTY. The treatment of sections 70.11 (8) and 70.339 (1) (intro.) of the statutes takes effect retroactively to January 1, 1992.

(4z) STUDENT LOAN CORPORATIONS. The treatment of section 70.11 (4) of the statutes takes effect on January 1, 1993.

(5) PROPERTY TAX RELIEF CREDIT FOR MOBILE HOMES. The treatment of section 66.058 (3) (c) (intro.) of the statutes takes effect on January 1, 1993.

Vetoed in Part (5g) PROPERTY TAX RELIEF CREDIT. The treatment of sections 20.835 (3) (b) and (f), 74.09 (3) (b) 2, 79.10 (1) (c), (e), (f) and (j), (2), (4), (4t), (6g), (6m), (7g), (7m) (a) (title) and 1. b., (9) (b) and (c) and (10) (title) and 79.14 of the statutes takes effect on November 1, 1992.

SECTION 9451. Effective dates; secretary of state.

(1f) SECURED TRANSACTIONS FILING FEES. The treatment of sections 409.403 (5) (a) 1, 1m and 2 and (b) 1, 1m and 2, 409.404 (3) (a), (b) and (c), 409.405 (1), (1m) and (2), 409.406 and 409.407 (2) (a) and (b) of the statutes and SECTION 9351 (1f) of this act take effect on the first day of the 3rd month beginning after publication.

(1g) CORPORATE CHANGE FILINGS. The treatment of sections 180.0502 (1) (c) and (2) (a), (b), (c), (d) and (e) and 180.1508 (1) (a), (b), (c), (d) and (e) of the statutes takes effect on January 1, 1993.

SECTION 9454. Effective dates; supreme court.

(1) BAR EXAMINERS. The repeal of section 20.680 (3) (c) of the statutes takes effect on July 1, 1992.

SECTION 9455. Effective dates; transportation.

(2) GENERAL MITCHELL INTERNATIONAL AIRPORT GRANT. The treatment of sections 20.395 (2) (dq) and

114.35 (2) of the statutes and SECTION 9155 (1x) of this act take effect on July 1, 1992.

(2e) LICENSES AND IDENTIFICATION CARDS. The treatment of sections 343.17 (3) (a) 12, 343.19 (1) and 343.50 (3) of the statutes takes effect on January 1, 1993.

(3) INSTRUCTION PERMIT OPERATION. The treatment of section 343.07 (1m) (a) of the statutes takes effect on April 1, 1992, or the day after publication, whichever is later.

Vetoed in Part ~~(3b) MASS TRANSIT OPERATING ASSISTANCE. The treatment of section 85.20 (4m) (a) and (m) 1 of the statutes takes effect on January 1, 1993.~~

(3f) PROOF OF FINANCIAL RESPONSIBILITY. The treatment of sections 344.18 (1m) and (3m), 344.19 (3m), 344.24, 344.29, 344.40 (1) and 344.41 (1) (intro.), (1m) and (3) of the statutes, the repeal and recreation of sections 344.18 (1) (intro.) and (3) (intro.), 344.19 (3) and 344.40 (2) of the statutes, the creation of sections 344.40 (1) (b) and 344.41 (3) (b) of the statutes and SECTION 9355 (1f) of this act take effect on January 1, 1993.

(3jp) ASSISTANCE FOR FOREST COUNTY. The repeal of section 20.395 (1) (av) of the statutes takes effect on June 30, 1993.

Vetoed in Part ~~SECTION 9457. Effective dates; university of Wisconsin system.~~

~~(1w) SMALL BUSINESS HAZARDOUS WASTE EDUCATION. The treatment of sections 20.285 (1) (te) and 20.25 (30g) of the statutes takes effect on July 1, 1992.~~

Vetoed in Part ~~SECTION 9459. Effective dates; vocational, technical and adult education.~~

~~(1p) INCENTIVE GRANTS. The treatment of section 20.292 (1) (dc) of the statutes takes effect on July 1, 1992.~~

SECTION 9460. Effective dates; other.

(1) PERSONAL INFORMATION PRACTICES.

(a) The treatment of section 19.66 of the statutes takes effect on the first day of the 3rd month beginning after publication.

(b) The treatment of sections 341.08 (1m), 341.17 (5) and (9), 342.06 (1) (i), 343.14 (2m), 343.235, 343.24 (4), 343.50 (4) and 343.51 (1m) of the statutes and SECTION 9155 (1d) of this act take effect on the first day of the 12th month beginning after publication.

(2) PROGRAM REVENUE REVERSIONS. The treatment of section 20.155 (1) (g) of the statutes takes effect on July 1, 1992.

(3g) MUNICIPAL BOUNDARY AGREEMENTS. The treatment of sections 66.02, 66.021 (2) (intro.), 66.022 (intro.), 66.023, 66.024 (intro.), 66.025, 66.026, 66.027 and 117.132 (1m) (a) of the statutes takes effect on the first day of the 6th month beginning after publication.

(3z) GAMING COMMISSION.

(a) The treatment of sections 13.94 (1) (dp), 13.94 (1) (em), 13.94 (1s) (b), 15.07 (1) (b) 7, 15.07 (4), 15.07 (5) (m), 15.07 (5) (u), 15.07 (5) (v), 15.405 (4m), 15.71, 15.81, 16.71 (3), 16.72 (4m), 19.42 (13) (c), 20.115 (4) (g), 20.115 (4) (h), 20.165 (1) (g), 20.192 (intro.),

20.192 (1) (title), 20.192 (1) (g) 1, 20.192 (1) (g) 1r, 1s and 2, 20.192 (2) (title), 20.192 (2) (h), (hm) and (i), 20.195 (intro.), 20.195 (1) (title), 20.195 (1) (q), 20.195 (1) (r), 20.195 (1) (s), 20.195 (1) (v), 20.765 (3) (ka), 20.923 (4) (e) 6m, 20.923 (4) (e) 10m, 20.923 (6) (hd), 20.923 (6) (hp), 25.75 (1) (a), 25.75 (1) (am), 25.75 (1) (b), 25.75 (2), 25.75 (3) (b) 1, 71.02 (1), 71.04 (1) (a), 71.67 (4), 71.78 (4) (L), 77.61 (5) (b) 9, 125.06 (10), 163.02, 163.03 (intro.) and (1) to (3), 163.03 (4), 163.03 (4e) to (4s), 163.03 (5), 163.03 (6) to (16), 163.04 (intro.), 163.04 (1), 163.04 (2) to (5), 163.05 (title) and (1) (intro.), 163.05 (1) (a) to (c), 163.05 (1) (d), 163.05 (1) (e) and (f), 163.05 (1) (g), 163.05 (1) (h), 163.05 (2), 163.05 (3), 163.055, 163.10, 163.11, 163.12, 163.13, 163.135, 163.14, 163.15 (title), 163.15 (1), 163.15 (1m) and (3), 163.16, 163.17, 163.18, 163.21, 163.22, 163.24, 163.25, 163.26, 163.27, 163.29, 163.51, 163.52, 163.53, 163.55, 163.61, 163.62, 163.63, 163.64, 163.65, 163.66, 163.68, 163.69, 163.71, 163.72, 163.73, 163.80, 163.90, 163.905, 163.91, 163.92 (title), 163.92 (1), 163.92 (4), 163.93, 163.94, 163.95, 163.97, 163.98, 163.99, 165.25 (4) (a), 165.70 (1) (e), 230.08 (2) (L) 5e, 230.08 (2) (L) 5s, 230.08 (2) (qm), 230.08 (2) (qr), 440.05 (intro.), 440.08 (2) (a) (intro.), 440.23 (1), 440.85, 561.06 to 561.14, 562.01 (2), 562.01 (4), 562.01 (14), 562.02 (title), (1) (intro.) and (a), 562.02 (1) (am) (intro.), 562.02 (1) (d), 562.02 (1) (f), 562.02 (1) (h), 562.02 (2) (intro.), (a) and (b), 562.02 (2) (e) 3, 562.02 (2) (g), 562.02 (3), 562.02 (4), 562.025 (1) (intro.), 562.025 (1) (e), 562.025 (2) (intro.) and (a), 562.025 (2) (e), 562.03, 562.04 (1) (a) (intro.) and 1, 562.04 (1) (a) 5, 562.04 (1) (b) (intro.), 562.04 (1) (b) 5 and 6, 562.04 (2) (intro.), 562.045 (intro.), 562.045 (6), 562.05 (1) (intro.), 562.05 (1) (d), 562.05 (1b), 562.05 (1m), 562.05 (2m), 562.05 (3) and (3m), 562.05 (3w) (intro.), 562.05 (3wmr), 562.05 (3wt) and (4), 562.05 (4m) (intro.), 562.05 (5) (a) 5 and 6, 562.05 (5) (b) 4, 562.05 (5) (c) 2, 562.05 (6m) (b) (intro.), 562.05 (6m) (b) 2, 562.05 (6m) (c), (d) and (e) (intro.), 562.05 (7) (a) (intro.), 562.05 (7) (ag) (intro.), 562.05 (7) (b) and (bg), 562.05 (8) to (10), 562.057 (1), 562.057 (3) (b) (intro.), 562.065 (1), 562.065 (3) (c) 1. (intro.), 562.065 (3) (c) 2. (intro.), 562.065 (3) (c) 2g. (intro.), 562.065 (3) (c) 4, 562.065 (3) (d) 1, 562.065 (3) (e) (intro.) and 1, 562.065 (3m) (c), 562.075 (1) (a) and (b), 562.075 (2) (c), 562.077, 562.08 (3), 562.09 (1) (b) and (2) (a) to (d), 562.09 (3) (c) 2, 562.09 (3) (em) and (f), 562.105, 562.12 (1), 562.12 (3), 562.124, 562.125 (1), 562.13 (2) (b), 563.05 (title), 563.05 (4) to (6), 564.02 (2) (g) and (2m), 565.01 (2) and (3), 565.01 (4c) (a) and (b), 565.01 (6), 565.02 (title), (1) (a) and (b) (intro.), 565.02 (1) (b) 4, 565.02 (1) (c), 565.02 (2) (a) and (b), 565.02 (2) (c) 3 and (d), 565.02 (2r), 565.02 (3) (intro.) and (a), 565.02 (3) (b) 6, 565.02 (4) (intro.), 565.02 (5), 565.02 (6) and (7), 565.05 (1) (intro.) and (a), 565.05 (1) (c), 565.10 (1), 565.10 (3) (a) 4, 565.10 (3) (c) 4, 565.10 (4) (b) (intro.), 565.10 (5), 565.10 (7) (b), 565.10 (8) and (8m), 565.10 (11), 565.10 (13), 565.10 (14) (b), 565.10 (14) (c), 565.10 (15), 565.12 (1) (intro.), 565.12 (1) (e), 565.12 (2) and (3), 565.15, 565.17 (1) and (2), 565.17 (5) (title)

Vetoed in Part

and (a), 565.25 (1m), 565.25 (2) (a) 4. (intro.), 565.25 (2) (a) 6 and 7, 565.25 (3) (a) 4, 565.25 (4), 565.27 (1) (intro.), 565.27 (2) (a), 565.27 (2) (b) 4, 565.30 (1) and (2), 565.30 (3) (a), 565.30 (4) and (4m), 565.30 (5), 565.30 (5m), 565.32 (1), 565.32 (3) (a) (intro.), 565.37, 565.40 (1), 565.45, 565.46, 757.69 (3) (e), 945.01 (3) (b) 1, 945.01 (4) (am), 945.01 (5) (am) and 945.041 (10), chapter 163 (title), subchapters I (title), II (title), III (title), IV (title), V (title), VI (title), VII (title), VIII (title) and IX (title) of chapter 163, subchapter VII (title) of chapter 440, chapter 565 (title) and chapter 569 of the statutes, the renumbering of sections 562.01 (1) and 565.01 (1) of the statutes, the renumbering and amendment of section 20.192 (1) (g) (intro.) of the statutes, the amendment of section 165.70 (3m) of the statutes, the repeal and recreation of sections 561.02, 562.02 (2) (f) and (fm), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), ~~562.057 (4)~~, 562.065 (3) (d) 2 and (e) 2 and (4) and 562.09 (1) (title) and (a) and (2) (e) of the statutes and the creation of sections 562.01 (1) and 565.01 (1) of the statutes take effect on October 1, 1992.

**Vetoed
in Part**

(b) The treatment of section 20.197 (1) (g) 1s and 2 and (3) (hm) of the statutes and the repeal of section 20.197 (4) of the statutes take effect on July 1, 1993.

(5f) NOTIFICATION OF CRIME VICTIMS. The treatment of sections 51.37 (10) (a), (dg), (dm), (dx) and (e), 895.54, 950.045 and 971.17 (3) (e), (4m) and (6m) of the statutes, the creation of section 51.37 (10) (a) of the statutes and SECTION 9360 (5f) of this act take effect on the first day of the 2nd month commencing after publication.

(5x) MOBILE HOME DEALERS AND SALESPERSONS. The treatment of sections 16.367, 218.10 (1g), (1t) and (8m), 218.101, 218.11 (1), (2) (a), (b) and (d), (3), (6) (intro.) and (d) and (7) (a) and (b), 218.12 (1) and (2) (a), (b) and (d), 218.14 (1) (a), (b) and (d), 218.16 and 218.17 (2) of the statutes and 1991 Wisconsin Act 39, section 9155 (13p) (a) and (b) takes effect on July 1, 1992.

**Vetoed
in Part**

~~(7j) MUNICIPAL TRANSPORTATION OF PRISONERS. The repeal and recreation of section 302.38 (2) of the statutes takes effect on January 1, 1993.~~

**Vetoed
in Part**